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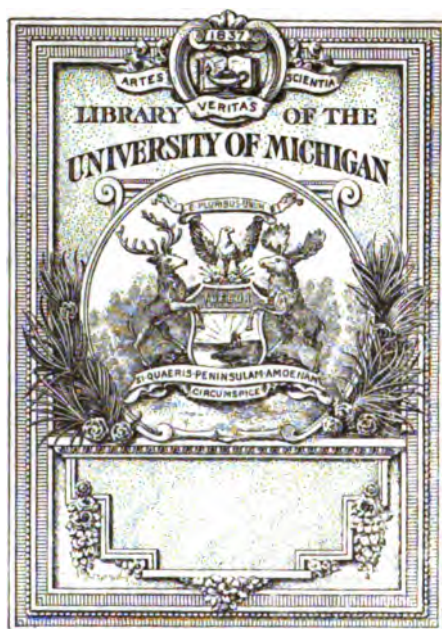
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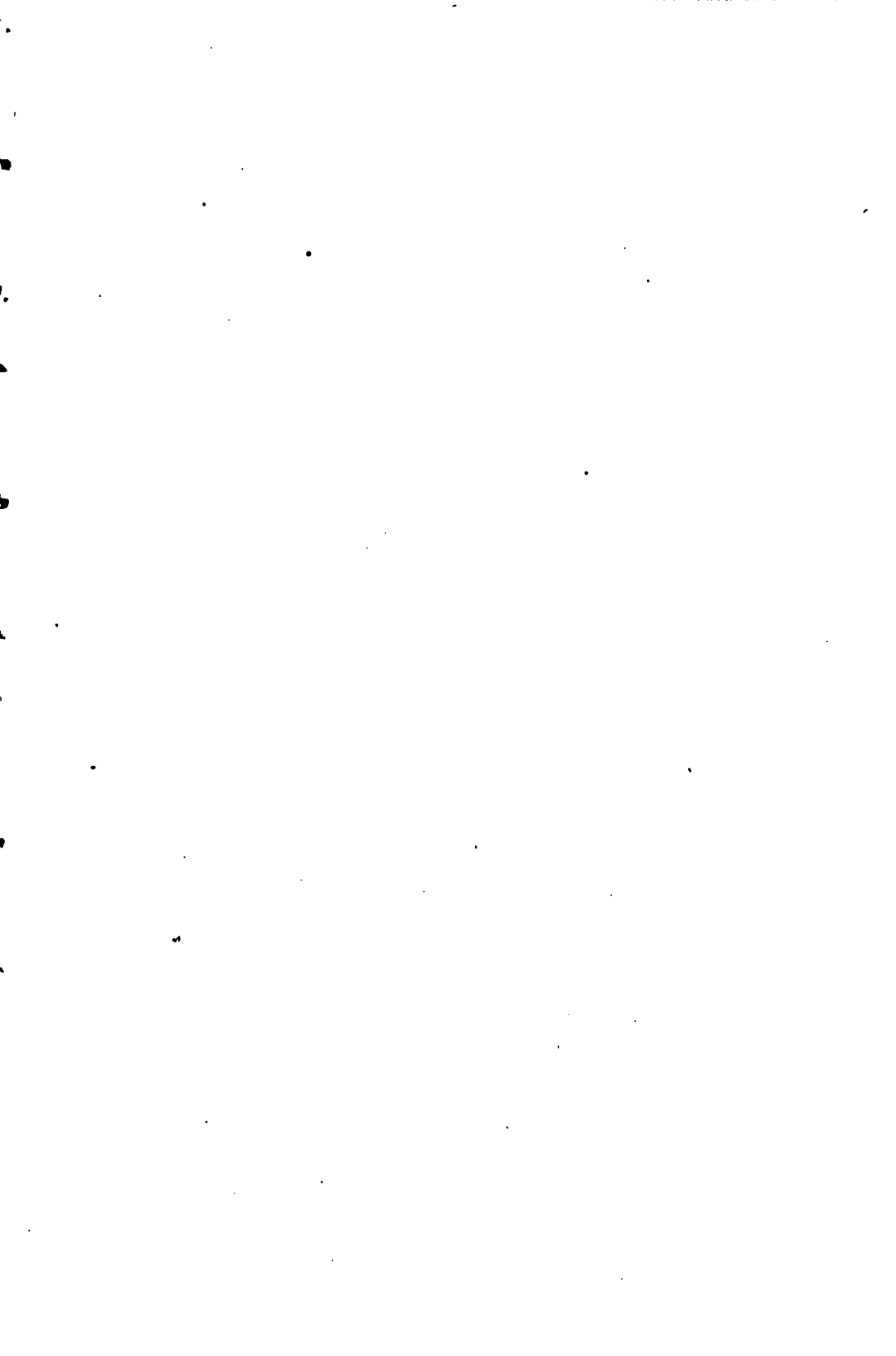
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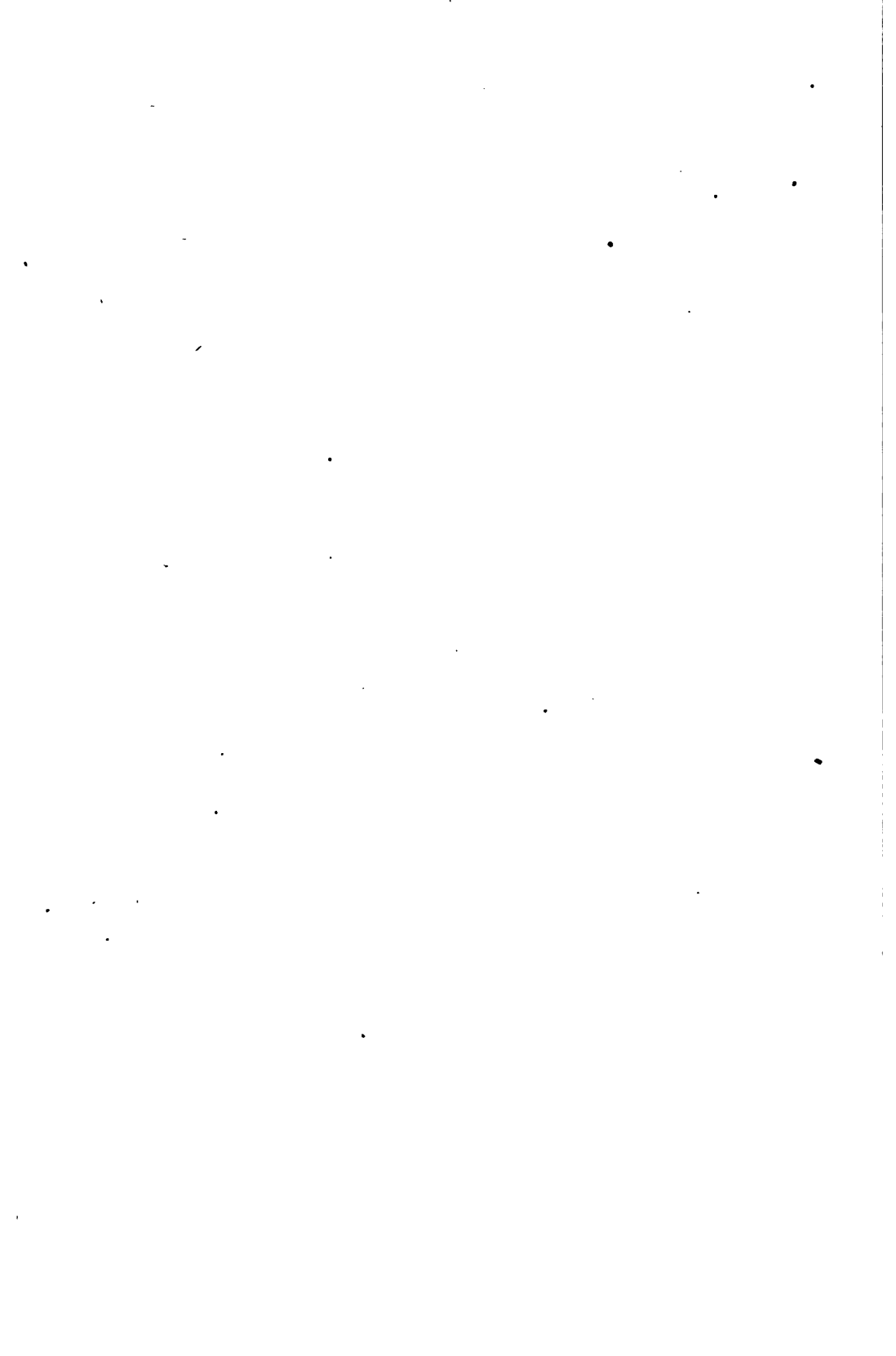
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JOURNAL
OF THE
INDIANA STATE SENATE

DURING THE
Fifty-Seventh Session

OF THE
GENERAL ASSEMBLY,

COMMENCING
THURSDAY, JANUARY 8, 1891.

REGULAR SESSION.

INDIANAPOLIS:
WM. E. BURFORD, CONTRACTOR FOR STATE PRINTING AND BINDING.
1891.



JOURNAL

OF THE

SENATE OF INDIANA.

THURSDAY MORNING.

JANUARY 8, 1891.

This being the day prescribed by the Constitution of the State of Indiana (Article 4, Section 9,) for the meeting of the General Assembly, Senators holding over and Senators elect met in the city of Indianapolis, Senate Chamber, in the State Capitol Building, at 10 o'clock A. M.

Lieutenant-Governor, Ira J. Chase, called the Senate to order.

After which the Senate was led in prayer by Rev. Dr. D. R. Lucas, of the Central Christian Church, Indianapolis.

Twenty-four Senators, elected in 1888 for the constitutional term of four years, appeared and answered to their names as follows :

From Hamilton and Tipton, Thomas E. Boyd.

From Clark, Scott and Jennings, Frank B. Burke.

From Clay and Owen, George A. Byrd.

From Lagrange and Steuben, Orville Carver.

From Boone, Clinton and Montgomery, Isaac N. Caster.

From Kosciusko and Wabash, Benjamin F. Clemans.
 From Decatur and Shelby, Cortez Ewing.
 From Marion, Shelby and Hancock, Daniel Foley.
 From Laporte, Harry H. Francis.
 From Vigo, Andrew Grimes.
 From Fayette and Henry, William Grose.
 From Grant and Madison, A. E. Harlan.
 From Allen and Whitley, Fred J. Hayden.
 From Hendricks and Putnam, Silas A. Hays.
 From Elkhart, Orrin Z. Hubbell.
 From Marion, Henry T. Hudson.
 From Noble and Dekalb, Andrew M. Jackson.
 From Marshall and Fulton, Perry O. Jones.
 From Vanderburgh, Thomas Kerth.
 From Boone, Clinton and Montgomery, James A. Mount.
 From Washington and Floyd, Erasmus W. Shanks.
 From Delaware and Randolph, Theodore Shöckney.
 From Marion, William C. Thompson.
 From Pulaski, White and Carroll, William H. Thompson.

Twenty-six Senators, elected last November, came forward as their districts were called, and standing in front of the Secretary's table, took the oath of office as administered by the Hon. Byron K. Elliott, Judge of the Supreme Court of the State of Indiana, in the following order :

From Greene and Sullivan, Charles T. Akin.
 From Hancock and Rush, Morgan Chandler.
 From Lawrence and Jackson, David H. Ellison.
 From Warrick and Spencer, Isaac S. French.
 From Bartholomew, Brown and Monroe, R. H. Fulk.
 From Newton, Benton and Jasper, William W. Gilman.
 From Dearborn, Ohio and Switzerland, Francis M. Griffith.

From Fountain and Warren, J. Frank Hanley.
 From Parke and Vermillion, George W. Hobson.
 From Gibson and Posey, Albert G. Holcomb.
 From Franklin, Ripley and Union, William G. Holland.
 From St. Joseph and Starke, Timothy E. Howard.
 From Martin and Daviess, William Kennedy.
 From Lake and Porter, Johannes Kopelke.
 From Miami and Howard, Robt. J. Loveland.
 From Harrison, Crawford and Orange, Iverson Lynn.
 From Clark and Jefferson, John McGregor.
 From Cass, Rufus Magee.
 From Allen, Joseph D. Morgan.
 From Johnson, Morgan and Brown, Joseph J. Moore.
 From Tippecanoe, Job Osborn.
 From Adams, Blackford and Jay, Henry B. Smith.
 From Dubois and Perry, John Sweeney.
 From Huntington and Wells, George H. Thompson.
 From Knox and Pike, Henry J. Wiggs.
 From Wayne, John Yaryan.
 Also, Senator Andrew Grimes of Vigo, elected in 1888.

Senator Shockney, by consent, presented the following protest:

The undersigned members of the Senate most earnestly protest and object against the admission of William Kennedy and A. G. Holcomb as members of the Senate of the Fifty-seventh General Assembly of the State of Indiana on the ground and for the reason that there were no vacancies in the Senatorial Districts which they pretend to represent, at the time of the election at which they pretend to have been elected, and because Hon. G. W. Alford was duly elected at the general election in 1888 as a Joint Senator for the counties of Martin and Daviess; that he was then and is now duly qualified to act as such Senator, and because Hon. V. G. Bozeman was duly and legally

elected at the general election of 1888, as the Joint Senator for the counties of Gibson and Posey; that he was then and is now duly qualified to act as such Senator.

JOB OSBORN,
 O. Z. HUBBELL,
 WM. W. GILMAN,
 ROBERT J. LOVELAND,
 B. F. CLEMANS,
 J. FRANK HANLEY,
 O. CARVER,
 J. A. MOUNT,
 GEO. W. HOBSON,
 I. N. CASTER,
 WM. GROSE,
 THOS. E. BOYD,
 A. E. HARLAN,
 JOHN YARYAN,
 SILAS A. HAYS,
 THEO. SHOCKNEY.

The Lieutenant-Governor announced that the Senate was ready to proceed to the election of officers of the Senate.

Senator Byrd presented the name of David H. Fenton, of Lake County, for the position of Principal Secretary of the Senate.

Senator Shockney presented the name of Cyrus Waite, of Randolph County, for the office of Principal Secretary of the Senate.

The roll being called, resulted as follows :

Those voting for Mr. Fenton were :

Senators Akin, Burke, Byrd, Chaudler, Ellison, Ewing, Foley,
 Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb,
 Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth,
 Kopelke, Lynn, McGregor, Morgan, Moore, Shanks, Smith,
 Sweeney, Thompson of Marion, Thompson of Huntington and
 Wells, Thompson of Pulaski, White and Carroll, and Wiggs.
 Total, 33.

Those voting for Mr. Waite were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Osborn, Shockney and Yaryan. Total, 16.

Mr. Fenton, having received a majority of all the votes cast, was declared duly elected Principal Secretary of the Senate.

Senator Byrd presented the name of George S. Pleasants, of Switzerland County, for the office of Assistant Secretary of the Senate.

Senator Hobson presented the name of George B. Henderson, of Parke County, for Assistant Secretary.

The roll being called, resulted as follows :

Those voting for Mr. Pleasants were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs. Total, 34.

Those voting for Mr. Henderson were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Osborn, Shockney, Yaryan. Total, 16.

Mr. Pleasants having received a majority of all the votes cast, was declared duly elected Assistant Secretary of the Senate.

Senator Byrd presented the name of Oliver T. Wells, of Marion County, for the office of Doorkeeper of the Senate.

Senator Boyd presented the name of William A. Dubois, of Hamilton County, for Doorkeeper of the Senate.

The roll being called, resulted as follows :

Those voting for Mr. Wells were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy,

Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs. Total, 34.

Those voting for Mr. Dubois were:

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Osborn, Shockney and Yaryan. Total, 16.

Mr. Wells having received a majority of all the votes cast, was declared duly elected Doorkeeper of the Senate.

The officers elected then advanced to the front of the President's desk and took the oath of their respective offices as administered by the Hon. Byron K. Elliott, Judge of the Supreme Court of the State of Indiana.

Senator Howard offered the following resolution:

Resolved, That the Rules of the Senate of the Fifty-sixth General Assembly of the State of Indiana, be the Rules of the Senate until otherwise ordered by the Senate, and that a committee of five be appointed by the Senate to report at their earliest convenience rules for the government of the Senate.

Senator Hays offered the following amendment to the resolution:

To amend Rule 8 by inserting in line two, after the words "appointed by," the words "the President" of the Senate.

The question being on the adoption of the amendment.

The ayes and noes were demanded by Senators Burke and Boyd.

Those voting in the affirmative were:

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Osborn, Shockney, Yaryan. Total, 16.

Those voting in the negative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Shanks,

Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs. Total, 83.

So the amendment was rejected.

Senator Shockney offered the following amendment to the resolution :

Amend the resolution by striking out of the rules section twenty-six ; the last four lines of section three and the last nine lines of section nine.

The question being on the adoption of the amendment.

The ayes and noes were demanded.

Those voting in the affirmative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Osborn, Shockney, Yaryan. Total, 18.

Those voting in the negative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs. Total, 34.

So the amendment failed of adoption.

The resolution as offered by Senator Howard was then adopted.

Senator Burke offered the following resolution, which was adopted.

Resolved, That there be appointed a committee of three on part of the Senate, to act in connection with a like committee of the House, to wait upon the Governor and notify him of the organization of both Houses of the General Assembly and that they are ready for the transaction of public business.

The Lieutenant-Governor appointed Senators Burke, Boyd and Hanley as such committee on part of the Senate.

Senator Burke offered the following resolution, which was adopted :

Resolved, That a committee of two be appointed to inform the House that the Senate has organized by the election of David H. Fenton, of Lake County, as principal secretary; George S. Pleasants, of Switzerland County, as assistant secretary, and Oliver T. Wells, of Marion County, as doorkeeper, and that the Senate of the Fifty-seventh General Assembly of Indiana is now ready to proceed with legislative business.

The Lieutenant-Governor appointed Senators Burke and Shockney as such Committee.

Senator Hays offered the following resolution :

WHEREAS, The number of employes of the Senate is limited by the acts of 1881, as amended by the act of 1883 to twenty-nine in all, as follows: One principal secretary and five assistants; one assistant secretary and seven assistants; one doorkeeper and seven assistants; three pages and four committee clerks, and

WHEREAS, At the last session of the Senate, in violation of law, sixty-seven persons were employed at a cost to the State of over three hundred and fifty dollars per day, and

WHEREAS, The condition of the finances of the State are such that no unnecessary expenditure of the public funds should be permitted, therefore

Resolved, That the employes of the Senate for the present session be limited to the number and for the purposes authorized by the act of April 21, 1881, as amended by the acts of January 16, 1883, and that the compensations of such employes, when not already fixed by law, be, and the same is hereby fixed at two dollars and fifty cents per day, except pages, who shall receive two dollars per day.

The question being on the adoption of the resolution.

The ayes and noes were demanded by Senators Hays and Boyd.

Those voting in the affirmative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Osborn, Shockney, Yaryan. Total, 16.

Those voting in the negative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs. Total, 34.

So the resolution failed of adoption.

Representatives Patten, and Morris of Henry, a committee from the House of Representatives, announced that the House has organized by the election of Mason J. Niblack of Knox, Gibson and Vanderburg, as Speaker; Thomas J. Newkirk, as Principal Clerk; Charles E. Crawley, as Assistant Clerk and Frank D. Haimbaugh as Doorkeeper, and that it was ready to proceed with legislative business.

Senator Boyd offered the following resolution, which failed of adoption :

WHEREAS, The Democratic party is opposed to the existing rules in the lower House of Congress curtailing debate, and to the proposed rule in the United States Senate ; and,

WHEREAS, It is the desire of the Republicans of the Senate to conform, as nearly as may be, to the wishes of the Democrats in that particular, therefore, be it

Resolved, That the parliamentary rule and practice, known as the previous question, be and the same is hereby suspended during the session of the Senate, to the end that all Senators may have an opportunity of freely debating all bills and resolutions that may come up for discussion.

Senator Hayden offered the following motion, which failed of adoption :

Moved, That when the Senate adjourns it be until ten o'clock to-morrow morning.

Senator Hays offered the following resolution.

Preamble and resolution concerning the salaries of county and township officers :

WHEREAS, The compensation and salaries of county and township officers, as now provided by law, are in many instances largely in excess of reasonable compensation for such services and inadequate in others ; and,

WHEREAS, In many counties of the State the fees and salaries of county officers are in excess of the highest salary allowed by law to State and judicial officers and are promotive of crime and corruption in our elections ; therefore, be it

Resolved, That the Committee on Fees and Salaries be and is hereby instructed to report a bill to the House fixing the compensation and salaries of county and township officers upon the basis of the actual services rendered in their respective offices.

Senator Ewing moved to refer the resolution to the Committee on Fees and Salaries.

Which motion failed of adoption and then the resolution was adopted.

Senator Griffith offered the following resolution :

Resolved, That the Principal Secretary and Assistant Secretary of the Senate be and they are each hereby authorized to employ two additional assistant clerks in addition to those allowed by statute, and that the Doorkeeper be and he is hereby authorized to employ eleven additional assistants in addition to those allowed by statute.

Lieutenant-Governor Chase declared the resolution out of order.

From which decision Senator Griffith appealed to the Senate. The question being, Shall the decision of the Lieutenant-Governor stand as the decision of the Senate ?

The ayes and noes were taken.

Those voting in the affirmative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubble, Loveland, Mount, Osborn, Shockney, Yaryan. Total, 16.

Those voting in the negative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 34.

So the Senate refused to sustain the decision of the Chair.

Senator Hays moved to lay the resolution on the table.

The question being on the adoption of the motion.

Senators Hays and Hubbell demanded the ayes and noes, which were taken.

And the motion failed of adoption by the following vote :

Those voting in the affirmative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Osborn, Shockney and Yaryan. Total, 16.

Those voting in the negative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 34.

The question being on the adoption of the resolution.

The ayes and noes were demanded by Senators Grose and Osborn.

The roll being called, the resolution was adopted by the following vote :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore,

Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 34.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Osborn, Shockney, Yaryan. Total, 15.

The following messages from the Governor were received :

To the Honorable President of the Senate :

My Private Secretary, William B. Roberts, is authorized to make and transmit executive communications to the Senate.

ALVIN P. HOVEY,
Governor.

To the Honorable President of the Senate :

The Governor will give a reception at the Capitol this evening, from 8 to 12 o'clock, to the members and officers of the General Assembly and their families, who are cordially invited to be present.

W. B. ROBERTS,
Private Secretary.

On motion of Senator Hayden the Senate adjourned until 2 o'clock this afternoon.

THURSDAY AFTERNOON.

The Senate met at 2 o'clock p. m., Lieutenant-Governor Ira J. Chase in the chair.

Senator Howard offered the following resolution and moved its adoption :

Resolved, That the seats in the Senate Chamber, as given to the several Senators since the general election of 1890 by the State Librarian, and as now marked on the chart of the chamber in the State Library, be and they are hereby assigned for the session to the several Senators to whom they have been since the date of said general election so given and set apart by the State Librarian.

The question being on the adoption of the resolution.

The ayes and noes were taken.

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 32.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Osborn, Shockney, Yaryan. Total, 16.

So the resolution was adopted.

Senator Hubbell offered the following motion, which was adopted :

Moved, That a committee of three, on mileage, be appointed by the Chair to ascertain the amount of mileage due each member of the Senate.

Lieutenant-Governor Chase appointed Senators Hubbell, Shanks and McGregor as such committee.

Senator Byrd offered the following resolution, which was adopted:

Resolved, That the following Senators be and they are hereby constituted the Standing Committee on Elections, to-wit: Senators Ewing, Chandler, Foley, Griffith, Smith, Yaryan and Caster.

Senator Hanley offered the following resolution:

Resolved, That the President of the Senate appoint a committee of three to prepare a memorial and a suitable resolution of respect concerning the Hon. George W. Cronk, late a member of the Senate of the State of Indiana, and that said committee be directed to report Saturday morning, and as a mark of respect to the memory of the deceased that the Senate do now adjourn.

Senator Hubbell moved to amend the resolution by striking out that portion relating to adjournment.

On motion of Senator Byrd the consideration of the resolution was postponed till 4 o'clock this afternoon.

Senator Griffith offered the following motion, which was adopted :

Resolved, That the papers on file in the contested case of *Mc-Hugh vs. Osborn* be referred to the Committee on Elections, and that the Secretary of State be directed to forthwith transmit said papers to the Senate.

Senator Hubbell offered the following resolution, and moved its adoption :

Resolved, That the Principal Secretary of the Senate is hereby instructed to procure and place on the desk of each Senator, for use during the session, one copy of the Revised Statutes of 1881, and of one copy of each report of the sessions of each General Assembly since 1881.

Senator Shockney offered the following resolution as a substitute, which failed of adoption :

Resolved, That the Secretary of State be and is hereby requested to deliver to the Doorkeeper of the Senate fifty copies of the Revised Statutes of 1881, and a like number of Elliott's Supplement to the Statutes, and that each member shall be required to pay therefor the wholesale price of the Supplement.

Senator Ewing offered the following resolution as a substitute, which failed of adoption :

Resolved, That the Secretary of the Senate be instructed to procure and place upon the table of each Senator, by the second day of this session, one copy of the Revised Statutes of 1881, and, also, one copy of Indiana Statutes commonly known as Elliott's Supplement.

The original resolution was then adopted.

Senator McGregor offered the following resolution, which was adopted :

Resolved, That the Principal Secretary and Assistant Secretary of the Senate shall make requisition upon the Bureau of Public Printing, Binding and Stationery for all supplies ordered

or needed for the use of the Senate, and any printing, binding or stationery procured elsewhere is unauthorized and hereby prohibited.

Senator Hubbell offered the following resolution :

WHEREAS, The people of the State of Indiana, at an election held on the 14th day of March, 1881, adopted section two (2) of article two (2) of our Constitution, authorizing the registration of persons legally qualified to vote ; and

WHEREAS, Such provision of the Constitution is in its effect mandatory upon the General Assembly of said State to enact a registration law ; therefore, be it

Resolved by the Senate, That the Judiciary Committee be and it is hereby instructed to bring in a bill providing for the registration of the legal voters of the State of Indiana, in accordance with the letter and spirit of the terms of said section of our Constitution.

Senator Burke moved to refer the resolution to the Committee on Elections.

Senator Boyd moved as an amendment that the resolution be referred to the Committee on Judiciary.

Which was adopted.

The Lieutenant-Governor laid before the Senate the papers in the case of the contest of John F. McHugh vs. Job Osborn, which were referred to the Committee on Elections.

The hour of 4 o'clock having arrived, being the time set for the consideration of the memorial resolution relative to the death of Senator Cronk, the same was taken up, considered and adopted.

Lieutenant-Governor Chase appointed Senators Hanley, Boyd and Francis as the committee as provided for by said resolution.

And then the Senate adjourned until 10 o'clock to-morrow morning.

IRA J. CHASE,
President of the Senate.

GEO. S. PLEASANTS,
Assistant Secretary of the Senate.

FRIDAY MORNING.

JANUARY 9, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor, Ira J. Chase, in the chair.

The Journal was read and approved.

Senator Hubbell offered the following resolution :

WHEREAS, It is shown by the report of the Auditor of State for the State of Indiana, that the estimated deficit over and above the net receipts for the year 1891, is \$757,080.88 ; and,

WHEREAS, Under the present mode of conducting the State government, the necessary expenses of the State government for 1891, including unpaid apportionments, is \$2,205,232.33 ; and,

WHEREAS, The tax rate for State purposes is already burdensome to the people of the State, and it is unwise to increase the same ; and,

WHEREAS, The State Treasury is now practically empty, and it will become necessary to provide for the current expenses of the State ; therefore,

Resolved by the Senate of the Fifty-seventh General Assembly of the State of Indiana, That the Committee on Finance is instructed to prepare and report to this body a bill for the purpose of taxing corporations, and providing for a revenue from the sale of franchises.

Resolved, That the Committee on the Organization of Courts, be hereby instructed to prepare and report a bill to redistrict the State for judicial purposes, and that the number of judicial circuits provided for therein shall not exceed twenty-five.

Resolved, That in all appropriations made by the General Assembly the Senate shall exercise a careful scrutiny to the end that no extravagant or unnecessary appropriations be made.

Senator Howard moved to lay the resolution on the table.

The ayes and noes being demanded by Senators Boyd and Hobson and taken, resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Chandler, Ellison, Ewing, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 33.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Osborn, Shockney and Yaryan. Total, 16.

So the motion was adopted.

Senator Magee offered the following resolution :

Be it resolved by the Senate, the House of Representatives concurring, That a committee of three persons, one of whom shall be on the part of the Senate and two of whom shall be on the part of the House, shall be appointed to inquire into the feasibility and cost thereof of manufacturing, at one of the prisons in this State, binding twine, and to report the result of such inquiry to the respective Houses of the General Assembly within thirty (30) days after the passage of this resolution.

Be it further resolved by the Senate, the House of Representatives concurring, That all necessary expenses attending such inquiry and investigation shall be presented to the respective Houses of the General Assembly for final action thereon.

On motion of Senator Magee, the resolution was made the special order for Tuesday morning at 10 o'clock.

The following report was presented :

MR. PRESIDENT :

Your committee of two appointed to notify the House of Representatives of the organization of the Senate beg leave to report that they have done so.

FRANK B. BURKE,
THEO. SHOCKNEY.

Senator Howard introduced the following resolution :

Resolved, That the Principal Secretary of the Senate is hereby requested to prepare, at the end of each week during the session of the General Assembly, a calendar of the business of the Senate to date, which shall show the numbers and titles of all bills and resolutions before the Senate, when and by whom introduced, and a brief statement showing what action has been taken on the same, and their present status; and that the Bureau of Public Printing, Binding and Stationery is requested to procure said calendars to be printed, when so made in time, to be placed upon the desk of each Senator on the following Monday morning after their preparation.

The following message was received and read from the House at the hands of its Principal Clerk :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Concurrent Resolution No. 1, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following is House Concurrent Resolution No. 1 :

Concurrent Resolution of House and Senate, Indiana Assembly, 1891:

WHEREAS, The tax and revenue laws of this State should receive the best consideration of this body, to the end that they may be placed in a condition so as to equalize the burdens of taxation, and at the same time meet the demands of the increasing expenditures of our State government so far as may be; and,

WHEREAS, These laws are of great interest and importance to our whole people; and,

WHEREAS, The prospects of securing wholesome legislation on this subject will be greatly enhanced by early action and concentrated effort to that end by the authority of this body; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That in order to insure an early and harmonious consideration

of said subjects by this General Assembly, that a committee of five, consisting of three members of this House, to be chosen by the Speaker, and of two members of the Senate, to be chosen by its President, be appointed to prepare and report to this House for its consideration a bill revising and modernizing our tax and revenue laws on the bills indicated in the preamble of this resolution, and that such committee be instructed to report said bill to this House at the earliest possible moment.

JOHN T. BEASLEY.

On motion of Senator Byrd the resolution was concurred in.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Concurrent Resolution No. 4, and the same is transmitted herewith for action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

The following is the House Concurrent Resolution No. 4 :

Resolved by the House of Representatives, the Senate concurring,
That the Senate and House meet in joint convention at the Hall of the House, on this, Friday, January 9, 1891, at 11 o'clock A. M., to hear the reading of the Governor's message.

S. S. HARRELL.

On motion, the resolution was concurred in.

Senator Hubbell presented the following memorial, which was to be referred to the Committee of World's Columbian Exposition :

ANNUAL MEETING OF THE ELKHART COUNTY FARMERS' INSTITUTE, }
GOSHEN, INDIANA, Jan. 3, 1891. }

We, the Committee on Resolutions, submit the following :

Resolved, That we recognize the great benefit which may be derived by our State from a full representation of her resources at the approaching World's Fair, and we earnestly request the Legislature to enact such liberal measures as will insure a true

and creditable exhibition of the agriculture, manufactures, mines, quarries, and every other resource of Indiana.

J. E. THOMPSON,
H. BEMENDERFER,
D. B. NUSBAUM,
Committee.

W. S. SMITH,
Secretary.

Senator Howard offered the following resolution, which was adopted :

Resolved, That Senators Magee, Burke and Hubbell be and they are hereby appointed a committee on the part of the Senate, to act with a like committee to be appointed by the House, to prepare Joint Rules for the Senate and House.

Senator Hayden moved that when the Senate adjourn, it be til Monday at 2 o'clock P. M.

Which motion was carried.

Senator Hanley was granted leave of absence until Tuesday morning.

Senator Burke presented the following report :

MR. PRESIDENT:

Your committee of three on behalf of the Senate, to act with a like committee on part of the House, to notify the Governor of the organization of the General Assembly, beg leave to report that it has discharged that duty.

FRANK B. BURKE,
J. FRANK HANLEY,
THOS. E. BOYD.

The hour of 11 o'clock A. M. having arrived, the Senate repaired to the Hall of the House of Representatives to hear the Governor's message.

The Senate appeared on the floor of the House at 11 o'clock, and the joint convention was presided over by Lieutenant-Governor Ira J. Chase.

The President announced that the joint convention was organized and ready to execute the order for which they had assembled, to-wit: to receive the biennial message of His Excellency, Governor Alvin P. Hovey.

W. B. Roberts, Private Secretary of the Governor, read the following message:

MESSAGE.

Gentlemen of the Senate and House of Representatives:

As directed by the Constitution, it is my duty to give you such information as I may deem necessary in regard to the condition of the State, and to recommend such measures of legislation as I may judge expedient.

THE ELECTION LAW.

The act concerning elections, passed at the last session, in my opinion contains some valuable provisions, and some that are very objectionable. In approving that law I used the following language: "Approved because it may tend to purify our elections, but I am afraid it will be found in practice intricate, obscure and expensive. Without the enactment of a registration law, as demanded by our Constitution, our elections will remain open to corruption and fraud." I did not, at that time, consider the question as to the constitutionality of any of its provisions. It has been seriously doubted by the Governors of New York and New Jersey whether confining the elector to the "public ballot," and to nominations made by political parties before the election, is constitutional. The right to vote for any man for any office in this State, whether the person voted for was nominated or not, has never been controverted, from the organization of the State in 1816 until the passage of the present election law, which makes the right to vote subservient to a prior selection or election by conventions that nominate all the candidates. The conventions must first elect or nominate the candidates, and then the elector may be permitted to vote, if he votes at all, for such candidates as have

been nominated, and no one else. This robs the elector of his constitutional right, and is neither democratic nor republican in principle, and might lead to very grave consequences.

Whether the objection to the "public ballot" is well taken or not, it will not be difficult to obviate it by amending the law and making the ballot free, as it always has been. If possible, our elections should be made less expensive. The cost of the last is enormous, not falling short of \$300,000. The assessment of candidates for office by political committees, which has prevailed in many States for the last twenty years, is infamous, and it is generally believed that a large portion of the money contributed is not used for legitimate purposes. Where such practices are resorted to, few, except the wealthy, have any chance of nominations to office, as those who are unwilling or unable to pay, would seldom be selected by those who attend conventions. You can not lay your hands too heavily on such offenders, and I recommend that such practices be made criminal. The crime of bribery and of ballot corruption became so great in the State of New York, that on the 4th of April, 1890, the General Assembly of that State passed a law making bribery an infamous crime, and also provided that "every candidate who is voted for at any public election held within this State, shall, within ten days after such election, file an itemized statement, showing in detail, all the money contributed or expended by him, directly or indirectly, by himself or through any other person in aid of his election. Such statement shall give the names of the various persons who received such moneys, the specific nature of each item, and the purpose for which it was expended or contributed."

Such statement must be sworn to, and the affidavit must show "that the statement thus made is in all respects true, and that the same is a full and detailed statement of all moneys so contributed or expended by him, directly or indirectly, by himself or through any other person, in aid of his election." A failure to file such statement subjects the offender to punishment of fine, imprisonment, disfranchisement for five years, and a forfeiture of office. In our last election a great many hundreds of tickets were thrown out, and not counted, on account of imperfect stamping by the electors. In Connecticut, the tickets are not stamped, but enclosed in a stamped envelope,

with the election clerk's initials marked upon them. It is submitted, whether this would not be an improvement on our system, and whether the cost of our elections under the present law can not be greatly decreased.

FEES AND SALARIES.

There is a great dissatisfaction by all parties and all classes in the State in regard to our laws relating to fees and salaries. Some of our county officers are paid too much, and some of our superior officers are paid too little. It looks strange to see some of our clerks, sheriffs, auditors and prosecuting attorneys receiving from five to twenty thousand dollars a year, and the judges of our Circuit Courts two thousand five hundred, and the judges of the Supreme Court only four thousand per annum. If all salaries now paid to the several State officers could be added to the legal fees collected by the State and county officers, the amount would make a fund that would liberally pay every officer in the State, and in my opinion, leave at least \$100,000 to be paid into the Treasury of the State. With salaries attached to all our offices, and the fees paid into the treasury, there would be no inducement to collect "constructive fees," or more plainly speaking, there would be no inducement to carry out the wholesale extortion now practiced in some counties in the State. I earnestly recommend that all fee bills of officers, and all accounts against decedents' estates shall be required to be itemized and sworn to before they are allowed by the courts. This reform is needed now. To allow the present office holders to exact these exorbitant fees until their successors are elected is but to continue this unjust burden upon the people. The law is plain. All officers take their offices with their burdens, subject to be changed by the Legislature, except those whose salaries can not be changed during their terms, as provided in our Constitution. Any other view of the fee and salary law is a deception and a sham. It will never be changed if we depend upon a sliding scale to meet the future, two and four years hence.

TOWNSHIP TRUSTEES.

The almost unlimited power of Township Trustees, under section 6006, R. S. 1881, in making contracts should be curtailed. This section gives the Trustees the right to make contracts to the amount of all cash on hand, and to anticipate all taxes assessed against his township for the year in which the debt is contracted. I recommend that said section be amended, so that all contracts whose aggregate amount shall be in excess of one hundred dollars, shall not be made by a Trustee until he procures an order from the Board of Commissioners of the county in which such township is situated, authorizing him to make such contract.

COMMON SCHOOLS.

The cost of common school books has been greatly reduced in consequence of the contract made by the State under the act of March 2, 1889. Our common schools are now open to all classes and only need that the text-books used should be made free to pupils, as recommended in my message to the last General Assembly. I recommend that an act be passed to place in the hands of every pupil, rich or poor, free of all costs, the text-books necessary for use in our common schools. It is a mockery to say that our schools are free as long as our pupils are compelled to pay for any part of a common school education.

APPORTIONMENT.

In compliance with the acts of Congress Indiana will be entitled to elect thirteen members to the House of Representatives of the United States and districts will have to be established in which such Representatives are to be elected. The State should also be districted and the counties designated in which elections will be holden to elect State Senators and Representatives. Our Government was established upon the fundamental principle that a majority should rule and I trust such an apportionment may be made that this great constitutional right may be fully and fairly sustained.

RAILROAD COMMISSIONERS.

There is a great necessity for the enactment of a law providing for the establishment of a Board of Railroad Commissioners for the State, who may have the general supervision of all railroads operated in the State, with power to inquire into all questions of neglect or violation of the law by said roads with reference to business and public safety. Such Commissioners should also be authorized to make all necessary investigations, to ascertain the amount of business done by said roads, and their value for taxation. Many of the States of the Union have enacted laws on this subject, with most beneficial results, and I commend the same to your careful consideration.

ROADS AND HIGHWAYS.

There is nothing more imperatively needed in this State than good, passable roads and highways. For months, in many counties, our roads are absolutely impassable with loaded teams. This not only affects the farmer, but every town and city in this State. It depreciates the value of lands, and causes the farmer, his hands and his teams to remain idle for many weeks in the year, and oftentimes deprives him of the best markets for his produce. Our Legislators have been fully aware of the importance of this subject, and have made many efforts to remedy the evil, but so far with no great success. The labor which may be called out annually, and the amount of money paid for road taxes by the several counties, would keep our highways in a far better condition if that labor and tax were intelligently used and expended. That the labor is not called out as it should be, and that our roads are worked by men who do not understand such labor, can not be denied. For the year ending October 31, 1890, a road tax of \$1,022,111.78 was collected and used in the respective counties of the State. Besides this large amount there were 364,317 persons who were liable to work on the roads from two to four days in each year.

Estimating that each performed three days' labor, worth \$1.25 per day, and—

The value of their labor would amount to.....	\$1,366,158 00
Cash collected on assessments	1,022,111 78
Total	<u>\$2,388,269 78</u>

This, on an average, would allow an expenditure of money and labor of nearly \$26,000 in each county in the State.

Can any of you, gentlemen, assure me that one-half of that sum has been fairly expended in your counties on roads? It seems to me that some system should be adopted through which this large amount of money and labor could be made of some practical good to the people of the State. Would it not be advisable to establish a Board of Bridges and Highways, and have intelligent civil engineers appointed for every county in the State to take charge of our highways and bridges? If such boards and engineers should cost the State \$200,000 a year, they would still have over \$2,000,000, which could surely be used to greater advantage to the State than by the present inefficient system controlled by Road Supervisors. When the topography of the county will permit, gravel or macadamized roads, practically near the center, running north and south and east and west to the most commercial points, would become channels through which the produce of the country could easily be carried to market, at all seasons of the year and in all kinds of weather. Where there is a sufficient incline on the road-bed to carry off water, tiling has been used to advantage.

SOLDIERS' AND SAILORS' MONUMENT.

Owing to reasons which are fully explained by the contractor for the superstructure of the State Soldiers' and Sailors' Monument, in the Annual Report of the Board of Commissioners, he has been unable to complete his work upon that structure the past year, and announces that it will probably require until the first day of next August to do so. Nothing is lost, however, from this cause, as the decorations for this great work of art require time for their conception and treatment, if they are expected to possess that merit which will give fame to Indiana as possessing the finest monument in America. It also insures greater perfection in the materials and mechanical work, as can readily be seen by comparing it, as far as it has progressed, with structures of like character that have been hastened to completion without due regard to these necessary requirements in securing beauty and permanency. The Commissioners wisely determined to adhere to the dimensions of the

original design, thus insuring a monument of such impressive grandeur that it will become a great attraction, and aid in bringing the most enlightened and cultured people of other lands to our State, either as tourists or for residence; and, from the first, they have diligently sought for the best materials and workmanship, rather than attempting to complete the structure with the funds originally placed in their hands by the employment of that which is inferior because of its seemingly cheapness. In doing this they have relied upon the intelligence, patriotism and liberality of the people to sustain them in making the monument really great, and they ought not to be disappointed. The artistic and inventive world has had its attention drawn to this work in an unusual degree, and if it is completed according to the plans of the Commissioners and with the artistic excellence which they design, it will mark a new era in the development of our State, and be a source of pride to every citizen. The present appropriation will complete the shaft and the terrace at the base, and in that condition will surpass all other monuments of this country, but the fountains and cascades, the great group of "War and Peace," and other statuary below, out to be added now, and I trust there will be no hesitancy in furnishing the necessary money.

It would be an unwise economy to withhold it.

A further sum is also required for a new pedestal on which to fittingly place the statue of the late Governor O. P. Morton, and I urge that this be appropriated without delay.

THE WORLD'S COLUMBIAN EXPOSITION.

The World's Columbian Exposition, or World's Fair, the building for which will be dedicated at Chicago, Illinois, in October, 1892, will probably excel any exhibition of a similar character to be found in the pages of history.

Great preparations are being made by the several States of the Union and foreign nations, to exhibit their products and live stock to the best advantage. To make a respectable representation of the wealth and resources of our State will require an outlay of considerable amount of money.

The Legislatures of the several States are proposing to appropriate from one hundred thousand dollars to one-half a

million dollars for the erection of buildings and collection of exhibits. Indiana, in her great wealth in mines, minerals, manufactures, agriculture and live stock, should not lag behind her sister States in presenting her wonderful resources. I shall recommend no particular amount that you should appropriate, but leave that to your better judgment, knowing that your great interest in the honor, pride, and advancement of our State will guide you to the proper conclusion.

THE GETTYSBURG BATTLEFIELD ASSOCIATION.

All the loyal States whose troops were engaged in the battle of Gettysburg, have erected monuments to mark the position of their troops in the battle, and have, with the exception of Indiana, purchased the ground upon which they are erected.

The monuments of the soldiers of Indiana are placed upon the grounds purchased by other States. The Gettysburg Battlefield Association, through Col. John M. Vanderslice, requests an appropriation of \$4,000 or \$5,000 to pay for the ground upon which said monuments are erected, where many of our heroic soldiers fought and fell in defense of the Union. Money would not be spent in vain if every field of battle, where our armies were victorious, could be set apart with monuments as object lessons of loyalty for future generations.

STATE PRISON NORTH.

The Directors' report of the Northern Prison for the year ending October 31, 1890, shows a daily average of seven hundred and fifty-one prisoners, and the total receipts and earnings for the year \$118,315.12.

The new improvements made during the year were as follows:

Electric light	\$9,400 00
Oil plant.....	826 32
Dining room remodeled.....	509 30
North gate enlarged.....	680 00
New work shop.....	7,109 82
Minor improvements.....	
Total.....	<hr/> \$18,465 44

These improvements may have been needed and beneficial, but the most of them have been made by order of the Directors of the Prison. No appropriations have ever been made by law for their construction and the money has been expended without the shadow of legal authority, and in direct conflict with section 6141, R. S. 1881, which provides that "all moneys due the Institution shall be paid to the Warden, who shall pay over the same to the Treasurer of State, at the close of each quarter of the year; and such moneys shall be certified into the Treasury as other moneys are. A full and detailed statement of all moneys received and paid over to the Treasurer of State shall be made out by the Warden at the close of each quarter of the year and deposited with the Auditor of State. All accounts for claims against the penitentiary for salaries, provisions, clothing, medicines, repairs, buildings, fuel, etc., shall be drawn on the order of the Warden, countersigned by at least one of the Directors, and presented to the Auditor of State, who shall examine and adjust the same; and, if found correct, shall issue his warrant, payable at the State Treasury, for the sum which shall be found due, specifying in each bill the date of its issue, the name of the person to whom payable, and the appropriation from which it is to be paid."

The Warden's report shows there was a balance of cash in his hands, November, 1889, \$22,667.52, and on the 31st of October, 1890, of \$17,916.53.

By what authority could the Warden hold cash balances in his hands which should have been promptly paid at the end of each quarter to the Treasury of the State?

The reports of the Directors and Warden clearly show that they have been wholly disregarding the law in the management of the financial affairs of the prison. On the 13th day of July, 1889, I called the attention of the Warden by letter, and requested that his account should comply with the law. I have been more particular on this point from the fact that the State has been in litigation with a former Warden of the Southern Prison on a large alleged defalcation, which took place in 1887. He kept his accounts in the same way the accounts have been kept by the Northern Prison.

Under Section 6141, above quoted, not one dollar of the earnings of the prison should be spent by the Warden. Every cent collected by him on the labor of the prison should be paid into the hands of the Treasurer of State. The expenses of the prison should be paid out of the moneys appropriated by the Legislature, and from no other source. The Warden has no legal right to look to or use any other fund, and should confine himself within the limits. In the report of the Board of State Charities, the Committee on Prisons and Reformatory Institutions, page 39, says: "The most serious criticism on the management of the Northern Prison arises out of what is known as the slop contract. For many years past, long before the present Warden was appointed, it has been the custom to increase the Warden's compensation (which was justly considered to be insufficient) by giving to him, or selling to him at a nominal price, the slop or waste food. What the value of this may be is unknown; probably the popular estimate, which places it at several thousand dollars annually, is very much exaggerated. The Warden, who has been asked by this board to estimate its value, declares himself unable to do so. But whether the value be much or little, the plan of giving any officer a perquisite is a very injudicious one, and this particular perquisite is especially so. * * * * *

"The prisoners are all aware of the slop contract. They greatly overestimate its value, and they imagine that their diet is chosen by the Warden so as to increase his profits, by giving them food which will be largely wasted. That is to say, they believe they are defrauded in that which comes closer to them than anything else for the benefit of the Warden. This effect on the minds of the prisoners is the chief evil of the slop contract, an evil compared with which the trifling money loss to the State is not to be compared. This Board would recommend, as has been in a previous part of this report, that the salaries of the principal officers of our prisons be increased, and that perquisites of any and every kind be absolutely forbidden."

It will be seen that besides the impolicy of making such a contract with the Warden, it is emphatically forbidden by our statutes, which by section 6140, R. S. 1881, provide: "No contract shall be made wherein any of the Directors or officers of the Institution are interested."

I take pleasure in saying that the Board of State Charities were greatly pleased with the management of the Prison and its inmates, and I have no doubt in that regard the officers are deserving of the highest commendation for the manner in which it is conducted. This, however, should not give them a license to overlook and disregard the law and take upon themselves the full management of the Institution as though it belonged to them. In view of this fact and the history of the State Prisons in this State, I recommend that an act be passed making it a misdemeanor, with the penalties, for the officers of any of our State Institutions to make contracts with each other relating to the property or business of such institutions, and also making it a misdemeanor for any officer who has the financial control or management of any institution to fail in making out his account according to law. Some provisions of this kind are imperatively demanded, as there are no penalties prescribed by the statute, and as no legal proceedings could reach such evils without great delay and expense to the State.

PRISON SOUTH.

I wrote to the Warden of the State Prison South at the same time I wrote to the Warden of the State Prison North. Captain Patten, the Warden of the Prison South, since that time, has fully complied with the law in regard to the earnings of that prison, paid the same to the Treasurer of State, and has drawn all payments by warrants of the Auditor from the funds appropriated by law for that institution. There is no financial safety in transacting the business of the prisons in any other manner. About \$1,200 per annum has been saved by the present Warden from the slops of the Prison South. The salaries of the Wardens are not commensurate with the duties, responsibilities and labors, and they should receive at least \$2,500 per annum.

BOARD OF STATE CHARITIES.

The Board of State Charities was organized under the act of February 28, 1889, and a non-partisan board, consisting of John Elder, Elijah B. Martindale, Mrs. C. W. Fairbanks, Oscar C. McCulloch, Timothy Nicholson and Mrs. Margaret F. Peelle

were duly appointed as members of said Board, and on the 1st of March, 1889, Alexander Johnson was appointed Secretary of the same.

The members of the Board and the Secretary have visited the several Insane Asylums, State Prisons North and South, Benevolent Institutions, Poor Asylums, Orphans' Homes, Jails and Reformatory Institutions in the State.

The beneficial effects of the working of said Board can be more thoroughly understood by examination of their first report, filed November 1, 1890, which contains useful information and suggestions in regard to the matters over which the Board has jurisdiction. This small amount, the appropriation of \$4,000 per annum, has been economically used, resulting, in my opinion, in great good to the State.

The disinterested services of the members of the Board should receive the highest commendation. They have labored earnestly, honestly and faithfully, without fee or reward, and deserve the thanks of the good people of the State.

SUPREME COURT.

My views have not changed in regard to the Judiciary since my message in 1889. I then said:

"Our constitution provides that 'Justice shall be administered freely and without purchase; completely and without denial; speedily and without delay.' Under the existing laws, this high sounding provision is an empty boast. Many cases are now pending in the Supreme Court which were filed more than five years ago, and it is to be feared that some have been appealed to that Court for the sole purpose of delay. This delay arises from no fault of the Judges of the Court, but from their inability to fully investigate the numerous cases which are brought before them. I do not believe that the multiplication of Judges in the Supreme Court would tend to the furtherance of justice. No case should be passed without the full consideration of every Judge upon the bench. This would be impossible if the number of Judges should be greatly increased." While the increase of the members would increase the number of written opinions by the Court, the consultation

by many Justices would delay final judgments, and probably result in fewer decisions. Besides dissenting opinions, which always tend to weaken the authority of a decided case, would be far more frequent. My opinion still is, that the establishment of an intermediate Appellate Court, with exclusive jurisdiction, within certain limits, with five Justices, one for each of the five Supreme Judicial Districts, would so lessen the docket of the Supreme Court, that it would keep up with all cases that might be appealed. These Justices might itinerate and meet at stated periods, in the respective districts.

I do not believe that twenty Judges, in one Court, could perform the same labor, and leave satisfactory results.

STATE INSTITUTIONS.

Our benevolent, reformatory and charitable institutions and Soldiers' and Sailors' Orphans' Home will expect the usual appropriations for their support and maintenance. Some of them are also requesting additional specific appropriations for various causes and desired improvements and are asking that a sufficient provision be made to cover their respective deficits of the past year.

The deficits seem to me to be just and I recommend that appropriations be made to pay them as soon as practicable.

The reports of the several institutions will be laid before you and will more fully enable you to consider the propriety of granting their requests.

The unfortunate affair that resulted in the death of Henry Blount in the Insane Asylum at Richmond last October will demand at your hands a careful investigation of the management of that institution and such action as may be deemed just and right under the facts that may be developed.

The habit of Governors visiting the various institutions of the State has always been a mere formality. It is not possible in a short visit of a few hours which can only be spared by the Governor that he can investigate and understand the workings of any large institution. The act establishing a State Board of Charities enables that Board and Secretary to obtain

much useful information which is published in their reports. Where more specific information is required it might be advisable to send non-partisan committees to make thorough investigation.

In my opinion, it would be far better for the State and to the benefit of each institution, if all the Boards and officers who have the control of the same were non-partisan. In the appointments made by me I have rigidly adhered to that rule.

WHITE CAPS.

As the Governor has neither the means nor the authority to interfere in the arrest or trial of that class of criminals known as White Caps until the law is openly and forcibly defied, I recommend that the Board of County Commissioners be authorized to pay from the dog tax fund in their respective counties such sums of money as may be necessary to apprehend and bring to justice all such criminals as may be found within their respective counties.

FINANCES.

The financial condition of the State is fully and ably presented in the report of the Auditor of State. The most important part for your consideration may be condensed as follows: The total net receipts to the general fund from all sources during the present fiscal year were \$1,448,151.45. The income of the State within the next three years, at the present rate of taxation, is likely not to vary much, if any, from the above sum.

The actual net expenses necessary to run the State government for the fiscal year 1891 are estimated at \$2,000,000. To this should be added the unpaid appropriations of former years, to-wit: \$205,232.33, making a total of \$2,205,232.33. If specific appropriations are passed by the General Assembly this session, the same should be added to the above sum of \$2,205,232.33. Taking the above figures, not including specific appropriations that may be passed by the Legislature as a basis, the deficit over and above the net receipts for the year 1891 would be \$757,080.88. The estimated necessary expenses of the State government for the year 1892 are \$1,873,090, and for 1893 \$1,998,090, which would leave a deficit at the end of each

year respectively of \$424,989 and \$549,989, to which deficiencies should be added any additional appropriations that may be made by the Legislature for those years. Immediate provisions, in my opinion, should be made for the relief of the treasury, the importance of which can readily be seen, as a continuation of the increase of the State debt becomes a necessity unless your honorable body enacts such laws as may increase the receipts of the State equal to the necessary expenditures and appropriations. At the time of the passage of the act of March 8, 1889, authorizing the refunding of the debt of the State due the school fund, there were outstanding school funds bonds Nos. 1, 2, 3, 4, 5, amounting to \$3,904,788.22, upon which the State was paying interest at the rate of 6 per cent. per annum, amounting to \$234,286.99.

There were issued under authority of said act bonds to the amount of \$3,905,000.00 upon which the State is paying 3 per cent. per annum, amounting to \$117,150.99 being an annual saving of interest to the State of \$117,186.99.

The refunding bonds issued as above brought a premium of \$62,196.38, which was turned into the general fund of the State Treasury and the amount paid the school fund, \$3,904,788.22, was distributed to the several counties of the State as provided by the act. The funding of those bonds has not only lessened the annual expenditures of the State, but has added to the funds in the hands of our county officers to be loaned by them to the people of the State at reasonable interest. Since 1877 a sufficient revenue has not been raised to pay the expenses of the State, and every year has added to our indebtedness until to-day the State debt has reached the enormous sum of \$8,540,615.12. With a still increasing indebtedness, unless some relief can be obtained by legislation, with the same system that has heretofore prevailed, we will still have to borrow money to sustain our institutions and expenses of the State with an annual deficit of about \$500,000.00. Surely the day of borrowing for such purposes should cease. We have no right to mortgage our future revenue to be paid by those who may come after us. There are various modes of raising revenue in the States, but the most simple modes has been generally adopted in the State, that of capitation or poll tax, tax on value on lands and

personalty. Whilst in other States different systems have prevailed. In New York, New Jersey, Connecticut, Pennsylvania and Wisconsin and other States scarcely any part of the tax for State purposes is collected on lands. The farmer is left almost untouched, and the principal State revenue is collected from corporations and railroads.

In these States corporations and railroads alone will nearly average the full amount of our State revenue.

New York collects from her corporations as follows :

Class 1—Insurance.....	\$100,196 05
Class 2—Railroads.....	671,657 27
Class 3—Steamboats	47,947 11
Class 4—Telegraph and telephone.....	41,488 25
Class 5—Gas and mining	95,688 08
Class 6—Miscellaneous	154,814 52
Class 7—Banks.....	61,862 45
Total.....	<u>\$1,172,599 78</u>

While the State of New Jersey collects—

Tax on railroad corporations.	\$938,515 59
Tax on miscellaneous corporations.....	222,108 08
Tax on certificates of incorporation.....	43,468 20
Tax on foreign insurance companies.....	6,110 48
Total.....	<u>\$1,210,192 30</u>

And the State of Connecticut collects—

Tax on savings banks.	\$234,907 42
Tax on non-resident stock.....	78,085 92
Tax on mutual insurance companies.....	236,558 78
Tax on agents of insurance companies of other States	24,742 28
Tax on railroads.....	671,820 00
Total.....	<u>\$1,246,094 40</u>

Governor Bulkley, of Connecticut, in his message of 1889, states that: "The Treasurer believes that, without embarrassment to the finances, the rate of State taxation can be reduced to one mill, and has so estimated."

The contrast in the amount collected on railroads in Connecticut and Indiana is very striking. Connecticut in round numbers has 1,010 miles of railway, and receives a revenue from it of \$671,820. Indiana has 5,961.58 miles of railway, and receives only \$88,715.21. Wisconsin, 7,720 miles, which nearly pays all the expenses of the State; and her lands are not taxed for State purposes. In levying taxes on corporations and railroads, the burden does not fall exclusively on them, but it is divided and disseminated among that class of our people who transact and do business with them.

As our revenue laws now impose nearly two-thirds of the amounts collected by the tax gatherers of the State upon land owners, the assessment of 1890 being \$545,254,157 on lands, lots in cities and towns, with their improvements, and only \$284,413,787 on personal property, it is but right that our lawmakers should look to a more just distribution of the burden.

It must not be overlooked that our land owners were taxed on all their personalty besides. The farmer can cover nothing; his lands, his crops, his teams, and all of his personalty are taxed, nor can they be offset in giving in his taxables against his indebtedness. Not so with the capitalist, the broker, and the money lender; with them nothing is visible, unless their oaths, under the fear of God and the law, disclose their treasures. In this State there is no doubt that a large part of the personal property which should be subjected to equal taxation is unassessed.

Licenses for various enterprises have been freely resorted to by almost every State, and it is suggested that the heaviest should be demanded from sources which are the least beneficial to the best interests of the State. Luxuries, and vanities and vices, if they must be tolerated, should be heavily taxed.

Gov. Hill, of New York, states in his message of 1890, that the State tax rate of that year "was three and fifty-two one hundredth mills (3.52)," a little over three and one-half cents to the one hundred dollars. And Governor Bulkley, of Connecticut, says "one mill," or one cent on the one hundred dollars in that State is only assessed for State purposes. Wisconsin pays little or no State taxes on lands, but Indiana is now paying twelve cents on the one hundred dollars in value, and will

hereafter, if taxes are to be levied as they are now, be compelled to pay not less than twenty-five cents, or two dollars and fifty cents to the one thousand dollars, to meet the debts and expenses of the State. It is not true that the great burden of taxation is levied for State purposes. It is the county, city, town and township taxation that has become so oppressive to the people of the State.

For many years the State has only levied for State purposes one dollar and twenty cents on the appraised value of one thousand dollars, whilst the counties, cities, towns and townships have reached in some instances as high as twenty dollars on the thousand, in addition to the State tax, making over three and one-half per cent. per annum on the value of the property assessed and taxed.

It would not be difficult to select objects of luxury and pleasure upon which a sufficient license or tax could be easily levied to pay all the expenses of our charitable and benevolent institutions, without resorting to the hard-earned savings of our land owners and laborers. In England and several of our States a tax on "collateral inheritances" yields very large revenues. In Pennsylvania, in 1888, the income from that source amounted to \$1,878,433.71, and the tax from Notaries Public amounted to \$9,825.

In our present financial condition you will be compelled to raise our taxes to at least twenty-five cents to one hundred dollars, or adopt the system of other States by raising a sufficient revenue from corporations and licenses, and, as we are now paying \$273,825 interest on our State debt annually, a sinking fund should be provided to liquidate our present great indebtedness.

In behalf of these recommendations it will be necessary to pass an act authorizing the officers of State to borrow more money for future expenses.

Gentlemen, the problem is in your hands, and I trust you may find a way to solve it by just legislation.

ALVIN P. HOVEY,
Governor.

On motion of Senator Thompson, of Marion, the joint convention adjourned.

The Senators returned to the Senate Chamber and were called to order by the Lieutenant-Governor.

Senator Hubbell offered the following resolution and moved its adoption :

Resolved, That the Secretary of the Senate be directed to cause to be printed ten thousand copies of Governor Hovey's message, and that fifteen hundred of the same be in wrappers for mailing and delivered on Senators' desks; and that said message be translated into German language, and that three thousand copies thereof be printed for distribution.

Senator Magee moved to amend the resolution by inserting the word "five" instead of "ten" and the word "one" instead of "three."

Senator Byrd moved to amend the amendment by inserting 2,500 instead of 5,000, and also by inserting 500 instead of 1,000, which amendment was lost.

Senator Magee's amendment was adopted.

The resolution as amended was then adopted.

Senator Magee moved that a recess be taken until 2 o'clock P. M.

Carried.

FRIDAY AFTERNOON.

JANUARY 9, 1891.

The Senate reconvened at 2 o'clock.

Senator Magee offered the following resolution :

Resolved, That the Secretary be directed to call the roll of Senators for the introduction of bills.

The resolution was adopted.

The roll of Senators being called for the introduction of bills.

Senator Griffith introduced Senate Bill No. 1, entitled:

A bill for an act in relation to the construction of statutes and the definition of terms, and declaring an emergency.

Read first time, and referred to Committee on Judiciary.

Senator Boyd introduced Senate Bill No. 2, entitled :

A bill for an act to provide for the collection, arrangement and display of the products of the State of Indiana at the World's Columbian Exposition of 1893, and to make an appropriation therefor.

Read first time and referred to Committee on World's Columbian Exposition.

Senator Harlan introduced Senate Bill No. 3, entitled :

A bill for an act to provide against the evils resulting from the traffic in intoxicating liquors by local option in any township in the State of Indiana, and declaring an emergency.

Read first time and referred to Committee on Temperance.

Senator Hays introduced Senate Bill No. 4, entitled :

A bill for an act authorizing the Boards of County Commissioners, in their respective counties to fix the salaries of county officers, and the number and salaries of their deputies and clerks, and providing for the payment of such salaries out of the County Treasury, and covering fees collected by such officers into the County Treasury, prescribing penalties for a violation thereof, and for other purposes properly connected therewith.

Read first time and referred to Committee on Fees and Salaries.

Senator Holcomb introduced Senate Bill No. 5, entitled:

A bill for an act to provide for the care of insane convicts and inmates of Reformatories, to set aside one or more wards in the Central Insane Asylum, defining the duties of the Governor, Wardens and Superintendents, providing for the cost of the same, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Senator Hubbell introduced Senate Bill No. 6, entitled :

A bill for an act for the incorporation of building and loan associations, to transact business on what is known as the National plan; requiring such associations to deposit their securities with the Auditor of State or some solvent bank or trust company, to be by him approved; legalizing the premiums bid and paid on loans; regulating the manner of conducting the business of such associations; prescribing the duties of foreign associations, and providing for their admission to do business in this State; defining the duties of Directors of such associations, making any violation thereof a misdemeanor, and fixing the penalty therefor; requiring certain reports of domestic and foreign associations to be made to the Auditor of State, providing for the examination of said associations; fixing and prescribing the limit of capital stock of such associations requiring all officers handling the funds of such associations to give bonds to be approved by the Auditor of State; authorizing such associations to sell stock which is fully paid for in advance; making existing laws on the subject of building, loan fund and savings associations apply to National associations, where the same do not conflict with the provisions of this act; authorizing local associations to do a National business; providing for an Expense Fund; legalizing existing associations, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Jackson introduced Senate Bill No. 7, entitled :

A bill for an act in relation to county surveyors and the repairing of public ditches.

Read first time and referred to Committee on Swamp Lands and Drains.

Senator Kopelke introduced Senate Bill No. 8, entitled :

A bill for an act to require the listing of money demands for taxation.

Read first time and referred to Committee on Judiciary.

Senator Magee introduced Senate Bill No. 9, entitled :

A bill for an act for the protection and relief of railroad employes, forbidding certain rules and regulations, contracts and agreements, and declaring them unlawful; declaring it unlawful to use cars or locomotives which are defective, or defective machinery or attachments thereto belonging, and declaring such corporations liable, in certain cases, for injuries received by its servants and employes on account of the carelessness or negligence of a fellow servant or employe, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Morgan introduced Senate Bill No. 10, entitled :

A bill for an act making appropriations for the Indiana School for Feeble-Minded Youth, and declaring an emergency.

Read first time and referred to Committee on Finance.

Senator Shockney introduced Senate Bill No. 11, entitled :

A bill for an act to suppress bucket-shops and gambling in stocks, bonds, petroleum, cotton, grain, meat, provisions or other produce.

Read first time and referred to Committee on Judiciary.

Senator Foley introduced Senate Bill No. 12, entitled :

A bill for an act defining what defense can not be made to an action hereafter brought alleging personal injuries or death, as the result of negligence of the defendant or defendants, or his or their employe or employes, and creating a liability for the negligence of employes, on the the part of employers in certain cases, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Kerth introduced Senate Bill No. 13, entitled :

A bill for an act providing for the completion, equipment and furnishing of the Southern Indiana Hospital for the Insane, for the payment of the amounts due to persons who have performed

work and labor upon said Hospital and the grounds surrounding the same, and furnished materials for the same, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Senator Hobson introduced Senate Bill No. 14, entitled :

A bill for an act concerning compulsory education, and providing penalties for the violation of the same.

Read first time and referred to the Committee on Education.

Senators Morgan and Hayden were granted leave of absence until Monday.

On motion of Senator Burke the Senate adjourned until Monday at 2 o'clock P. M.

IRA J. CHASE,
President of the Senate.

MONDAY AFTERNOON.

JANUARY 12, 1891.

Pursuant to adjournment, the Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. Oscar McCulloch, of Plymouth Church, Indianapolis, Ind.

After the reading of a portion of the Journal, on motion of Senator Shockney, the further reading of the Journal was dispensed with.

Senator Boyd offered the following resolution and moved that it be referred to the Committee on Revision of the Constitution :

MR. PRESIDENT :

I offer the following resolution and move that it be referred to the Committee on Revision of the Constitution :

A resolution proposing an amendment to Section 2 of Article 7, of the Constitution of the State of Indiana.

Be it resolved by the General Assembly of the State of Indiana, That the following amendment to Section 2 of Article 7, of the Constitution of the State of Indiana, be and the same is hereby proposed and agreed to, to-wit: Amend said section by striking out the word "five" before the word "*judges*" therein, and by inserting in lieu of said word so stricken out the word "*eleven.*"

Be it resolved further, In submitting this amendment to the electors of the State to be voted on, it shall be duly noted as amendment number one.

THOMAS E. BOYD,
Hamilton and Tipton.

The resolution was referred to the Committee on Revision of the Constitution.

Senator Ewing, from the Committee on Elections, stated that the committee was not ready to report.

Senator Thompson, of Marion, offered the following resolution:

Resolved, That Leo Lefkowitz be appointed one of the pages of this Senate.

Senator Magee moved that a committee of three be appointed to select three pages for the Senate.

On motion of Senator Burke the matter relating to pages was laid on the table.

Senator Byrd introduced the following concurrent resolution:

Be it resolved by the Senate, the House of Representatives concurring therein, That our Senators be instructed, and our Representatives in Congress be requested, to vote for and use all honorable means for the speedy consideration and passage of House Resolution No. 319, known as the bill to pension the Union ex-prisoners of war, now pending in the United States Congress; and be it further

Resolved, That a copy of this concurrent resolution be sent to the President of the Senate and the Speaker of the House of Representatives of the United States.

On motion of Senator Byrd the consideration of the resolution was made the special order for 8 p. m., Tuesday, January 18.

Lieutenant-Governor Chase appointed the following pages :
Carl Wiley, Don Shockney and W. E. Southard.

Senator Magee introduced the following resolution :

Resolved, That the Principal Doorkeeper be required at once to report to the Senate the number and residence of the assistants appointed by him to positions.

The resolution was adopted.

Senator Boyd introduced Senate Bill No. 15, entitled :

A bill for an act concerning the Indiana Soldiers' and Sailors' Orphans' Home, providing for the maintenance and improvement thereof, making appropriations therefor, providing that certain appropriations therefor shall cease, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Senator Byrd introduced Senate Bill No. 16, entitled :

An act to amend section two of an act entitled an act fixing the salaries of County Commissioners, Township Assessors and Trustees, approved March 6, 1889, providing penalties for the violation thereof, repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Fees and Salaries.

Senator Clemans introduced Senate Bill No. 17, entitled :

A bill for an act to amend sections one and two of an act entitled an act for the encouragement of agriculture, etc., and declaring an emergency.

Read first time and referred to Committee on Agriculture.

Senator Ewing introduced Senate bill No. 18, entitled :

A bill for an act creating and defining the Eighth and Fifty-sixth Judicial circuits of the State of Indiana and fixing the length of terms and times of holding the terms of courts in said circuits and providing for the appointment of a prosecuting attorney in said Eighth Judicial circuit and for the appointment of a Judge in said Fifty-sixth Judicial circuit and other matters connected therewith and repealing all laws in conflict therewith and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

Senator Foley introduced Senate bill No. 19, entitled :

A bill for an act to provide for the adjustment of grievances and disputes which may arise between individuals, companies or corporations and their employes and authorizing the creation of a State Court of Arbitration and Mediation, and defining its powers.

Read first time and referred to Committee on Labor.

Senator Francis introduced Senate Bill No. 20, entitled :

A bill for an act to amend Section 6 of an act entitled an act to authorize cities and incorporated towns to construct, maintain and operate water works, issue and sell bonds to pay for such construction, repealing all laws in conflict with this act, and declaring an emergency, approved March 25, 1879, and being Section 3270 of the Revised Statutes of Indiana.

Read first time and referred to Committee on Cities and Towns.

Senator Gilman introduced Senate Bill No. 21, entitled :

An act prescribing the mode of assessment of real estate in cities and incorporated towns of less than four thousand inhabitants for the purpose of the improvements of streets.

Read first time and referred to Committee on Cities and Towns.

Senator Griffith introduced Senate Bill No. 22, entitled :

A bill for an act in relation to the jurisdiction of Circuit Courts in certain cases.

Read first time and referred to Committee on Judiciary.

Senator Burke moved that when the Senate adjourn it be till 7:30 P. M.

The motion was lost.

Senator Hayden introduced Senate Bill No. 23, entitled :

A bill for an act concerning the duties of the Board of Trustees of the Indiana School for Feeble-Minded Youth, limiting the age of pupils to be received into said schools to sixteen years and under, repealing all laws in conflict herewith, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Senator Hays introduced Senate Bill No. 24, entitled :

A bill for an act to repeal section four (4) of an act entitled "an act concerning husband and wife;" approved April 16, 1881.

Read first time and referred to Committee on Judiciary.

Senator Hobson offered Senate Bill No. 25, entitled :

A bill for an act for the encouragement of life-time convicts confined in the State Prisons of Indiana, and the Indiana Reformatory for Women and Girls, and providing that twenty-five years shall constitute a life sentence in the State Prisons of Indiana, or the Indiana Reformatory for Women and Girls, and declaring an emergency.

Read first time and referred to Committee on Prison South.

Senator Grose introduced Senate Bill No. 26, entitled :

A bill for an act to provide for a creditable exhibit of the resources of the State of Indiana in the Columbian Exposition or World's Fair, to be held in the city of Chicago in 1893, and making an appropriation therefor.

Read first time and referred to Committee on World's Columbian Exposition.

Senator Holcomb offered Senate Bill No. 27, entitled :

A bill to define and limit the application of an act of the General Assembly of the State of Indiana, entitled an act concerning the ownership and alienation of real estate by aliens, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Howard introduced Senate Bill No. 28, entitled :

A bill for an act to create an Appellate Court, and define its jurisdiction and procedure, and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

Senator Hubbell introduced Senate Bill No. 29, entitled :

A bill for an act to amend sections eleven (11) and one hundred and eight (108) of an act entitled an act concerning taxation, approved March 29, 1881, being sections 6280 and 6376, R. S. 1881, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hudson introduced Senate Bill No. 30, entitled :

A bill for an act to establish a State Board of Health, defining its powers and duties, providing a system of registration, and report of vital and sanitary statistics in connection therewith, and prescribing the duties of certain officers in relation thereto; providing for town, city and county Boards of Health, prescribing penalties for the violation of the provisions thereof; fixing an appropriation for the expenses of the same; repealing acts in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Public Health.

Senator Jackson introduced Senate Bill No. 31, entitled :

A bill for an act relating to drainage and to authorize an appropriation by the Board of Commissioners in certain cases in aid thereof.

Read first time and referred to Committee on Drains and Swamp Lands.

Senator Kennedy introduced Senate Bill No. 32, entitled :

A bill for an act making it the duty of County Auditors to reduce the rate of interest from 8 per cent. per annum to 6 per cent. per annum on all outstanding loans of school funds made previous to the 2d day of March, 1889, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Kerth introduced Senate Bill No. 33, entitled :

A bill for an act to amend Section 2 of an act entitled an act fixing the salaries of County Commissioners, Township Assessors and Trustees, and declaring an emergency, approved March 6, 1889, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Kopelke introduced Senate Bill No. 34, entitled :

A bill for an act to provide for the recording and admission in evidence of affidavits and other instruments concerning or affecting the title to lands, not covered by the existing recording laws.

Read first time and referred to Committee on Judiciary.

Senator Robt. J. Loveland offered Senate Bill No. 35, entitled :

A bill for an act to amend section 173 of an act entitled an act concerning public offenses and their punishment, approved April 14, 1881.

Read first time and referred to Committee on Temperance.

Senator Magee introduced Senate Bill No. 36, entitled :

A bill for an act authorizing the formation of deposit, loan, guarantee and trust companies.

Read first time and referred to Committee on Judiciary.

Senator Mount introduced Senate Bill No. 37, entitled :

A bill for an act to amend section 2981 of the Revised Statutes of 1881, being the first section of an act of March 11, 1875, entitled an act to amend section number sixteen of an act entitled an act concerning real property and alienation thereof, approved May 6, 1852.

Read first time and referred to Committee on Judiciary.

Senator Shanks introduced Senate Bill No. 38, entitled :

A bill for an act to authorize the Board of Commissioners for the Removal of the Limestone Ledge in the Kankakee River to make changes in the length, width and depth of the new channel, and declaring an emergency.

Read first time and referred to Committee on Swamp Lands and Drains.

Senator Shockney introduced Senate Bill No. 39, entitled :

A bill for an act to amend section 1 of an act entitled an act to amend section 1 of an act entitled an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith and providing penalties therein prescribed, approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1875, being section 4439 of the Revised Statutes of 1881.

Read first time and referred to Committee on Cities and Towns.

Senator Smith introduced Senate Bill No. 40, entitled :

A bill for an act to prevent the waste of natural gas and declaring an emergency.

Read first time and referred to Committee on Natural Gas.

Senator G. H. Thompson, of Huntington and Wells counties, offered Senate Bill No. 41, entitled:

A bill for an act to prohibit the standing and breeding of certain animals and providing penalties for the violations thereof, and matters properly connected therewith.

Read first time and referred to Committee on Judiciary.

Senator Thompson, of Marion County, introduced Senate Bill No. 42, entitled:

A bill for an act fixing the salaries of certain county officers; providing for the appointment and compensation of deputies, bailiffs and assistants; for the collection of fees; for the payment of the same into the County Treasury; for the report to the County Commissioners; fixing penalties for the violations of the provisions of this act; providing for the repeal of sections 22, 29, 80 and 27 of an act entitled, an act fixing certain fees to be taxed in the offices and the salaries of officers therein named, approved March 31, 1879, being sections 5907, 5927, 5928 and 5974 of the Revised Statutes of 1881, and repealing all conflicting laws.

Read first time and referred to Committee on Fees and Salaries.

Senator Caster introduced Senate Bill No. 43, entitled:

A bill for an act to limit the rate railroad companies or other common carriers may charge per mile for carrying or transporting passengers on railroads, operated in whole or in part in this State, providing penalties, repealing all laws in conflict herewith, and declaring an emergency.

Read first time and referred to Committee on Rights and Privileges.

Senator Hayden introduced the following memorial from the State Board of Agriculture:

WHEREAS, On the 25th day of April, 1890, an act of Congress was adopted, entitled, "An act to provide for celebrating the four hundredth anniversary of the discovery of America

by Christopher Columbus, by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine and sea, in the city of Chicago, in the State of Illinois, in the year 1893"; and

WHEREAS, In said act of Congress it is provided that each State shall appoint a commission to represent such State at said exposition; and

WHEREAS, Ground for the purpose of erecting suitable buildings, within which to exhibit the resources of the several States, is being procured, and the most suitable sites being rapidly taken; therefore, be it

Resolved by the Delegates and State Board of Agriculture, That it is highly important that the State of Indiana should be well represented at said Exposition in all its resources, and to that end we recommend to the General Assembly that it speedily enact a law providing for the appointment of such State Commissioners, and that it makes an appropriation of two hundred thousand dollars for the carrying out of the purpose thereof.

Resolved further, That the Secretary of this Board be and he is hereby directed to transmit a copy of the foregoing preamble and resolution to the President of the Senate and the Speaker of the House of Representatives of the General Assembly of said State.

Read and referred to Committee on Agriculture.

Senator Boyd introduced the following resolution:

Preamble and Resolution concerning the business of Foreign Building and Loan Associations:

WHEREAS, Great abuses have grown up on account of foreign building and loan associations doing business in this State without proper supervision; and,

WHEREAS, In some cases our citizens have suffered great loss in consequence of the management and insolvency of such companies; therefore, be it

Resolved, That the Committee on Judiciary be and it is hereby instructed to bring in a bill providing the manner in which foreign building and loan associations shall be permitted to do

business in this State, so that such associations shall file articles of their incorporations with the Auditor of State and furnish satisfactory evidence to such Auditor as to their solvency before being permitted to do business in said State.

Read and referred to Committee on Judiciary.

Senator Kopelke offered the following concurrent resolution :

A concurrent resolution requesting our Senators and Representatives in Congress to obtain an appropriation for the improvement of the Grand Calumet River in Lake County :

WHEREAS, The commercial and industrial interests of the city of Hammond and the territory east thereof, along the Grand Calumet River, in Lake County, require for their further development the improvement of said river by the Federal Government.

Be it resolved by the Senate, the House of Representatives concurring, That our Senators and Representatives in Congress be requested to use their best efforts to obtain in the next river and harbor bill to be enacted by Congress a sufficient appropriation for the extension of the improvements made on said river in the State of Illinois into this State and through the county of Lake.

Read first time and referred to Committee on Federal Relations.

Senator Magee introduced Senate Bill No. 44, entitled :

A bill for an act requiring the compulsory attendance of all children in this State between the ages of seven and fourteen years, on the session of the public schools, except in certain cases ; prescribing duties of School Boards in cities and incorporated towns and Trustees of school townships in this State, Superintendents of public schools and teachers, providing for excuse for non-attendance and fixing penalties therefor, and repealing all laws and parts of laws in conflict with this act.

Read first time and referred to Committee on Education.

Senator George A. Byrd offered Senate Bill No. 45, entitled :

An act to amend section one (1) of an act, approved April 13, 1885, entitled "An act to amend sections one, six, nineteen, twenty and thirty-four of an act entitled an act concerning highways and Supervisors thereof," approved March 2, 1883, and declaring an emergency.

Read first time and referred to Committee on Roads.

Senator Shockney introduced Senate Bill No. 46, entitled :

A bill for an act to declare unlawful all trusts, pools, contracts, arrangements and combinations in restraint of trade, production, manufacture or sale, to fix the liability of, and to punish persons and corporations concerned therein, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Caster introduced Senate Bill No. 47, entitled :

A bill for an act to prevent the trapping, hunting, killing or taking of quails.

Read first time and referred to Committee on County and Township Business.

Senator Clemans introduced Senate Bill No. 48, entitled :

A bill for an act to legalize acts of Notaries Public whose commissions have expired, or who have been ineligible to office, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Ewing introduced Senate Bill No. 49, entitled :

A bill for an act to legalize the incorporation of the town of Westport, in Decatur County, in the State of Indiana, and all official acts heretofore assumed and done under said corporation, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Francis introduced Senate Bill No 50, entitled:

A bill for an act entitled an act to authorize cities and incorporated towns to establish, locate, lay out or improve public parks and grounds, repealing all laws in conflict with this act, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Grose introduced Senate Bill No. 51, entitled:

An act for the relief of Jacob B. Julian and John F. Julian for legal services rendered the State of Indiana.

Read first time, and referred to Committee on Claims.

Senator Hayden introduced Senate Bill No. 52, entitled:

A bill for an act providing for the payment of certain moneys for the construction of the building for the Indiana School for Feeble-Minded Youth, making the necessary appropriation therefor, and declaring an emergency.

Read first time and referred to Committee on Claims.

Senator Kopelke introduced Senate Bill No. 53, entitled:

A bill for an act to provide for the recording in the Lis Pendens Record of orders of courts or Judges affecting the disposition of real estate and the effect of such record.

Read first time and referred to Committee on Judiciary.

Senator Shockney introduced Senate Bill No. 54, entitled:

A bill for an act fixing the compensation of the Sheriffs of the several counties in this State for removing persons to the Insane Asylums, Reform School for Boys, and Reform School for Girls, and for taking convicts to the State Prison and Woman's Prison, and for taking a prisoner to another county

on any warrant issued by the Clerk of such county, reimbursing the State and counties for such expense, and repealing all laws in conflict therewith.

Read first time and referred to Committee on Fees and Salaries.

On motion of Senator Boyd, the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

TUESDAY MORNING.

JANUARY 13, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. D. R. Lucas, of the Central Christian Church of Indianapolis.

After the reading of a portion of the Journal, on motion of Senator Hubbell, the further reading of the Journal was dispensed with.

Senator Ewing, from the Committee on Elections, made the following majority report on the contested election case of McHugh vs. Osborn :

JOHN F. McHUGH, Contester,

vs.

JOB OSBORN, Contestee.

In the Senate of the State of
Indiana.

MR. PRESIDENT :

A majority of your Committee on Elections would respectfully submit that they have had under consideration the case of John F. McHugh vs. Job Osborn for contest of the election of said Osborn to the Senate of the State of Indiana from the

county of Tippecanoe. After the introduction of the evidence and argument of all counsel in the hearing of the committee, we, after consideration, by agreement of the entire committee, beg leave to submit the following report, to-wit:

We find that at the various precincts in said county there were 108 ballots cast, upon which the names of John F. McHugh and the contestee were printed for said office of Senator, which were protested and placed in the proper bags by election officers. We find that none of said ballots were counted for either the contestee or contestor, except one ballot, which was counted for said contestee.

We further find that there were four ballots, none of which were stamped at, upon or near the square preceding the title upon any ticket which bore the names of either of the parties hereto, or at, upon or near any square at the left of and directly opposite the names of either of said parties.

We further find that of said protested ballots not counted there should have been counted for John F. McHugh for said office of Senator 52 ballots.

We further find that of said protested ballots not counted, there should have been counted for Job Osborn, as said candidate for Senator, 15 ballots.

We further find that of said protested ballots hereinbefore mentioned as not stamped at, upon or near the square to the left and opposite of said McHugh or Osborn, or opposite the title of any ticket, there are 41 ballots which should not be counted for either of said parties.

We further find that upon the face of the returns Job Osborn received for said office of Senator 3,842 votes.

We further find that upon the face of the returns, said John F. McHugh received 3,806 votes for said office of Senator.

We further find that the one of said protested ballots which was counted for contestee should have been so counted but should be deducted from the number of protested ballots which were not but should have been counted for him, thereby reducing the number of protested ballots which were not but should have been counted for him, thereby reducing the number to which he is entitled to have added to his votes to 14.

We further find that both of said parties are duly and legally qualified electors of the county of Tippecanoe and eligible to to hold the said office of Senator. We therefore find that of the legal votes cast, said John F. McHugh received the highest number thereof and is duly and legally elected Senator of said county of Tippecanoe and entitled to his seat in this body as such.

RECAPITULATION.

Total number of votes for McHugh, as shown by face of returns	3,806
Protested ballots which were not but should have been counted for him	52
Total	3,858
Total number of votes cast for Job Osborn, as shown by face of returns	3,842
Deduct protested ballot counted for him	1
Total	3,841
Protested ballots which were not but should have been counted for him	15
Total	3,856
Total number of protested ballots	108
Those properly not counted	41
Those to be counted for Osborn	14
Those counted for Osborn	1
Those counted for McHugh	52
Total	108
Total number of votes to which McHugh is entitled	3,858
Total number of votes to which Osborn is entitled	3,856
McHugh's majority	2

Therefore, the said Osborn, not having received the highest number of legal votes, is not the duly elected Senator from said county of Tippecanoe nor entitled to occupy his seat as such; and the said John F. McHugh, having received the highest

number of legal votes cast for said office of Senator in said county of Tippecanoe, is entitled to his seat as such, he being hereby declared to have been the duly elected Senator from said county at the general election held November 4, 1890.

Respectfully submitted,

CORTEZ EWING.

MR. PRESIDENT:

A majority of your Committee on Elections recommend the adoption of this their report and the following resolution:

Resolved, That it is the judgment of the Senate of the State of Indiana that Job Osborn, who is now holding a seat in the Senate of the State of Indiana as a member of the Fifty-Seventh General Assembly from the district of the county of Tippecanoe did not receive the highest number of legal votes cast for Senator, and that therefore he now be and is hereby unseated.

And be it further resolved, That it is the judgment of the Senate of the State of Indiana that John F. McHugh, contestor, who received the highest number of votes for said office of State Senator from said district, is qualified for and entitled to hold the same for and during the legal term of said office, and that he now be and is hereby declared to be the legal occupant of said office of State Senator from the aforesaid county of Tippecanoe for said term, and that he be now sworn in as such Senator.

CORTEZ EWING,
DANIEL FOLEY,
F. M. GRIFFITH,
H. B. SMITH,
MORGAN CHANDLER,
Committee on Elections.

Senator Yaryan, from the Committee on Elections, presented the following minority report on the contested election case of McHugh vs. Osborn:

To the President of the Senate:

The undersigned, members of your Committee on Elections, respectfully submit the following minority report in the matter of the contest of John F. McHugh vs. Job Osborn.

The official majority of Mr. Osborn, as appears from the return of the Board of Canvassers of Tippecanoe County, is thirty-six votes. The sole ground upon which Mr. McHugh contests Mr. Osborn's election is that many votes were cast for him (McHugh) at the various election precincts in the county, which it is averred the election boards wrongfully refused to count for him.

To maintain this claim Mr. McHugh has put in evidence copies of the disputed and uncounted ballots contained in the sealed packages returned to the County Clerk from ten voting precincts of Tippecanoe County. No witnesses were examined by him, except the County Clerk and the Judge or Inspector from each of these precincts, for the purpose of identifying these packages and ballots, and thus entitling him to put the ballots in evidence, and one other witness for the purpose of showing the contestor's eligibility to the office. In addition to identifying the ballots, the Judges and Inspectors, in some instances, explained the circumstances attending the transaction. This was all the evidence presented to the Committee in behalf of Mr. McHugh.

The evidence in behalf of Mr. Osborn is of a similar character. He has put in evidence copies of the disputed and uncounted ballots contained in the sealed packages returned to the County Clerk from eight precincts of the county. With the exception of the County Clerk and the Judges and Inspectors from these precincts, examined for the purpose of identification and explanation, as aforesaid, Mr. Osborn examined no witnesses.

Thus all the evidence before the Committee consisted of these disputed and uncounted ballots returned by the election boards of the several precincts, in sealed packages to the County Clerk, and the testimony, in some instances, of the election officers in explanation thereof.

The number of ballots thus put in evidence by Mr. McHugh was seventy-three. The number put in evidence by Mr. Osborn was thirty-four.

It is proper to add that all the county ballots found in the sealed packages opened, were put in evidence by the party causing them to be opened, whether the ballots were for or

against him, except in the case of precinct No. 1, Perry Township, where Mr. McHugh omitted to put an unstamped or blank ballot in evidence.

The whole question, therefore, in this case, resolves itself into this:

What number, if any, of these one hundred and seven ballots should, under the law, be counted for Mr. McHugh, and what number for Mr. Osborne? It is not a question of fact, but a plain and, as we think, a very simple question of law.

In this connection we remind the Senate that the representatives of the two great political parties, during the last campaign, caused a committee of prominent lawyers, representing both of the great parties, to be appointed to prepare and publish, for the information of voters, instructions as to the meaning of the new election law, which instructions were widely circulated by both political parties throughout the State, and have become a matter of history.

The following is the correspondence between the representatives of the two parties and the lawyers mentioned about the time the committee made its report:

Messrs. Michener and Jewett, Chairmen:

Having been appointed by you as a committee to consider certain matters arising under the new election law, we report that our opinion as to the proper constructions of the law on the several points referred to us, is as follows, and the forms requested are hereunto appended.

WILLIAM E. NIBLACK,
JAMES B. BLACK,
JAMES McCABE,
ADDISON C. HARRIS,
ROSCOE O. HAWKINS,
JACOB P. DUNN, JR.

September 25, 1890.

We concur in and agree to abide by this report.

L. T. MICHENER,
Chairman Republican State Committee.

CHAS. L. JEWETT,
Chairman Democratic State Committee.

Indianapolis, September 25, 1890.

Both parties accepted and in good faith acted upon the construction of the law made by this committee, and it is notorious that, in the conduct of the late election, their instructions were recognized as containing a correct exposition of the law.

A few extracts from the report of that committee will be specially instructive.

They say:

If a ballot is not stamped on one of the squares at the left of the titles of the tickets, it will be counted for the names with stamps on the squares to the left of them, and no other.

Do not mutilate your ballot, or mark it either by scratching a name off or writing one on, or in any way, except by the stamping on the square or squares as before mentioned. Otherwise the ballot will not be counted.

If a voter offers a ballot so folded that the name of any candidate voted for is disclosed, it can not be placed in the box, and he can not thereafter be allowed to vote.

If any ticket is found not endorsed with the initials of the poll clerk, or if any ticket bears any distinguishing mark or mutilation, it shall not be counted.

These instructions are in conformity with the election law, and especially of Sections 45, 47, 49, 52, etc., of said act, and were acted upon in good faith by both political parties.

Now be it noted that according to the first extract above quoted from the instructions of the committee, no ballot can be counted for Mr. McHugh, unless it is stamped on the square to the left of the title of the Democratic ticket, or on the square to the left of Mr. McHugh's name.

Let us look now at the ballots put in evidence in this case.

Of the whole one hundred and seven ballots put in evidence, only seven were stamped on the square to the left of the title of the Democratic ticket.

Of the seven ballots thus stamped on the square to the left of the Democratic ticket, three (being from Precinct No. 3, in Tippecanoe Township), were not properly folded, and one was stamped on the square opposite each name except that of Mr. McHugh.

Out of the whole one hundred and seven ballots only three were stamped on the square opposite or to the left of Mr. McHugh's name, and some of these three are among the seven ballots above referred to.

It is evident from this showing that unless the instructions of said committee to the voters are erroneous, it is impossible for Mr. McHugh to overcome Mr. Osborn's majority by ballots stamped according to the requirements of the statute. It is only by ignoring those requirements, and counting for Mr. McHugh ballots which are confessedly not stamped as they should be (if the voters intended to vote for him), that he can overcome Mr. Osborn's majority.

But other ballots were stamped on or near to the rooster, and others near to but not on the square to the left of the title of the Democratic ticket. Some also were stamped on or near to the eagle, and others near to but not on the square to the left of the title of the Republican ticket. It may be said that the persons casting these two classes of ballots intended, respectively, to vote the Democratic and Republican tickets; but if the former of these classes be considered Democratic ballots, and the latter Republican ballots, and if all such so-called Democratic ballots, together with said seven ballots stamped on the square at the head of the Democratic tickets, and the three ballots bearing stamps on the square opposite Mr. McHugh's name be all counted for him, still, even on this theory (which is the most favorable one possible for Mr. McHugh that rests upon any rational basis), Mr. Osborn will yet have a majority of six votes; and if the four ballots (three Democratic and one Republican, from Precinct No. 3, Tippecanoe Township), be rejected, as they clearly ought to be, because they are not properly folded, Mr. Osborn's majority on the same theory will be eight votes.

In no possible way upon the evidence before the committee, all of which is in black and white in the form of depositions, can Mr. Osborn's majority of thirty-six be overcome, without counting for Mr. McHugh ballots which were stamped on the Democratic ticket only on the square to the left of or near to the name of Leroy Templeton, candidate for Congress, or on the square to the left of some other name, not Mr. McHugh's, on that ticket. To do this is to utterly disregard the instructions

prepared by the committee of legal gentlemen chosen by both political parties to prepare instructions for the voters, and to boldly trample upon and set at naught one of the plainest and most important provisions of the election law.

We can not give our consent to the proposition that the ballots stamped on or near the square opposite a single name on a ticket is a vote for all the names on that ticket, and we protest most earnestly against any such construction of the statute.

In the foregoing computation we have excluded no ballots on account of mutilation, or because of their bearing distinguishing marks, except one which is cut into two fragments. And yet a number of these ballots which, upon any theory, must be counted for Mr. McHugh, in order to give him a majority, were torn and bore distinguishing marks when voted.

As to two of the ballots, which the majority of the committee have counted for him, one contains on the back thereof the figure "4," with a circle about it, and the other a figure "5," with a circle about it, and, so far as the evidence shows, this was the condition of these ballots when they were voted. Other ballots which must, on any theory, be counted for Mr. McHugh to give him a majority, contain ink blotches of some considerable size, either on the face, or on the back thereof. These also, so far as the evidence shows, were on the ballots when they were voted.

To sum up: Before Mr. Osborn can be counted out and Mr. McHugh counted in, the Senate must consent to count for Mr. McHugh ballots of the following kinds:

First. Those which are mutilated by being torn.

Second. Those which bear upon their face or back clearly defined distinguishing marks.

Third. Those which were not folded as required by the statute, some of them being so folded as not to show the initials of the Polling Clerks, and some so as to exhibit the names of the persons voted for.

Fourth. Those which are not stamped except on or near to the square to the left of the name of Mr. Leroy Templeton, or some other name (not McHugh's) on the Democratic ticket.

To be still more explicit, we will say that of the 107 ballots introduced in evidence, and made part of the depositions:

Twelve are not stamped at all.

Four are stamped on title of two tickets.

One democratic ticket is mutilated, being torn into two parts.

Seven Democratic tickets are stamped simply on the square to the left of Templeton's name (who was a candidate for Congress).

Two stamped simply on the square to the left of the title of the Prohibition ticket.

One blurred and stamped on both Democratic and Prohibition tickets.

One blurred and stamped on the title of both Republican and Prohibition tickets.

One Republican ticket stamped on all the names but Osborn's.

Five stamped simply on the square to the left of some candidate for county office.

Making, in all, 37 ballots, and leaving 70 ballots to be accounted for, and of these 70 ballots remaining, 38 are stamped near the square to the left of the title or near the rooster on the Democratic ticket, while there are 20 Republican ballots stamped in a similar manner, and, if these latter ballots are to be counted, it will make Osborn's majority 56, and deducting the 38 ballots thus counted for Mr. McHugh, will leave Osborn's majority 18. Now, to overcome this majority of 18, there will have to be counted for Mr. McHugh the following classes of ballots:

First. The two ballots containing distinguishing marks, consisting of the figure four (4) in a circle on one, and the figure five (5) in a circle on the other.

Second. The nine ballots that were stamped between the square to the left of the title and the square to the left of Templeton's name on the Democratic ticket; and also a ballot that was stamped near to the square to the left of Templeton's name, between that and the square to the left of the title of the Democratic ticket, making in all twelve (12) ballots, and these

twelve deducted from the eighteen majority, would still leave a majority of six (6) for Mr. Osborn; so that to overcome the majority of Mr. Osborn upon any theory in this case, it will be necessary to count the seven ballots that were stamped on the square to the left of Mr. Templeton's name; and we insist that even if the letter of the law is to be set aside, that the intention of the voter can not be ascertained from the stamp placed on the square to the left of Templeton's name, except as to the vote for Templeton alone; and as to the ballots that were stamped between the square to the left of Templeton's name and the title of the Democratic ticket, the intention of the voter was as clear that he intended to vote for Templeton alone, as it is that he intended to vote a straight Democratic ticket.

Of the thirty-eight ballots stamped on or near the title, or on or near the rooster on the Democratic ticket, and the twenty ballots stamped in a similar manner on the Republican ticket, they were rejected by the several election boards, either because they were not stamped on the square to the left of the title of the tickets, respectively, or because, if stamped on the square, they were so folded as that the name of the polling clerks did not appear, as provided by statute.

But counting such ballots, which is in direct violation of the law and for which severe penalties are fixed, would not elect Mr. McHugh; so that to count Mr. McHugh in and Mr. Osborn out, it will be necessary to count the ballots that were stamped on the square simply to the left of Templeton's name.

To count these ballots for Mr. McHugh, especially the last class mentioned, which, we repeat, must be counted for him to give him a majority, would, in our deliberate judgment, be to willfully trample upon and disregard some of the plainest and most important provisions of our election law.

In support of the position herein taken by the minority of your committee, we respectfully refer to all the testimony introduced in this case, and make the same a part of this report, and ask that the same be read in the hearing of the Senate.

If the election law, which was enacted by the last Democratic Legislature is to be sustained, then there is no theory upon which ballots so stamped, as herein indicated, can be counted for Mr. McHugh, for if counted the plain letter of the

law will be disregarded, and an interpretation given thereto which will lead to great abuse and practically nullify the purpose for which the law was enacted.

On these grounds the minority of your committee recommend the adoption of the following resolution :

Resolved, That Job Osborn was duly and legally elected Senator for the county of Tippecanoe, and is entitled to retain his seat, as such Senator, in this body.

JOHN YARYAN,
ISAAC N. CASTER,

Minority of the Committee on Elections.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Joint Resolution No. 1, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk.

Also, the following message :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Concurrent Resolution No. 5, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Principal Clerk.

Also, the following message :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Concurrent Resolution No. 6, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Principal Clerk.

Also, the following message :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 21, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Principal Clerk.

Senator Ewing moved that the majority report be adopted.

Senator Hubbell moved to amend by substituting minority report for majority report.

Senator Burke moved that the reading of the evidence be dispensed with.

Senator Magee moved the previous question on Senator Burke's motion.

The question being, Will the Senate second the demand for the previous question?

The ayes and noes being demanded by Senators Hays and Grose.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Koppelke, Lynn, McGregor, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 33.

Those voting in the negative were:

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Harlan, Hays, Hobson, Hubbell, Loveland, Mount and Shockney. Total, 14.

The motion was carried and the demand for the previous question seconded.

The question being, Shall the main question be now put?

Which motion carried.

The question recurring on the adoption of Senator Burke's motion to dispense with the reading of the evidence.

The ayes and noes being demanded by Senators Hays and Grose.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy,

Kerth, Kopelke, McGregor, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 33.

Those voting in the negative were:

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Shockney, and Yaryan. Total, 14.

So the motion was adopted.

Senator Howard introduced the following resolution:

MR. PRESIDENT:

I move that the time given for debate in the contested election case of John F. McIlugh against Job Osborn for a seat in this Senate be limited to two and one-half hours, one-half of which time shall be given to each side. On the completion of the debate so limited, the Senate shall proceed at once to vote upon the question.

The resolution was adopted.

Senator Hanley was granted leave of absence for the remainder of the day.

Pending the discussion of the reports on the contested election case.

Senator Thompson, of Marion, moved that when the Senate adjourn it be until 3 o'clock P. M.

The motion was carried.

On motion of Senator Foley the Senate adjourned.

TUESDAY AFTERNOON.

JANUARY 13, 1891.

Pursuant to adjournment, the Senate convened at 3 o'clock P. M., Lieutenant-Governor Chase in the chair.

The consideration of the reports on the contested election case was resumed.

The question recurring on Senator Hubbell's amendment to substitute the minority for the majority report.

The ayes and noes being demanded by Senators Grose and Hays.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 14.

Those voting in the negative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of White and Carroll, and Wiggs. Total, 34.

The motion was lost.

The minority was not substituted for the majority report.

The question recurring on the adoption of the majority report and the resolution.

The ayes and noes being demanded by Senators Shockney and Hobson.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb,

Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Moore, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 34.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Shockney, Yaryan. Total, 14.

So the majority report and resolution were adopted, and Senator Osborn was unseated and John F. McHugh was declared seated as Senator from Tippecanoe County.

On motion, Senators Magee and McGregor were appointed a committee to escort Senator McHugh to the President's desk to be sworn in.

The oath of office was administered to Senator McHugh by Robert McBride, Justice of the Supreme Court of Indiana.

Senator Magee offered the following resolution :

Resolved, That J. J. Bingham be and is hereby appointed Clerk to the Finance Committee.

President Chase declared the resolution out of order.

Senator Magee appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate ?

The decision of the Chair was not sustained by the Senate.

The question being on the adoption of Senator Magee's resolution.

The same was adopted.

Senator Griffith offered the following resolution, and moved its adoption :

Resolved, That the Senate Committee on Fees and Salaries be composed of one Senator from each Congressional district, and that there be also appointed by the Senate a committee of thirteen on Columbian Exposition or World's Fair.

The resolution was adopted.

Senator Harlan offered the following resolution, and moved its adoption :

MR. PRESIDENT :

I offer the following joint resolution :

Resolved, That the President of the Senate appoint a committee of three to act with a like committee to be appointed by the Speaker of the House, to prepare a memorial and suitable resolution of respect concerning the late Hon. Samuel J. Carpenter, late member of the General Assembly of the State of Indiana, and that they be directed to report one week from to-day.

The resolution was adopted.

Senator Grose called up House Bill No. 21, entitled :

An act to legalize the sale of certain land sold and conveyed by the Board of Commissioners of the county of Fayette, State of Indiana, to Charles Mount, by deed dated December 31, 1890, and declaring an emergency.

Was read a first time.

Senator Grose moved that the Constitutional Rule be suspended, and that House Bill No. 21 be read a second time by title and a third time by sections, and put upon its passage.

The question being on the suspension of the rule.

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 47.

No Senator voting in the negative.

So the Constitutional rule was suspended.

And House Bill No. 21 was read a second time by title, and a third time by sections.

The question being, Shall the bill pass?

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee, Morgan, Moore, Mount, McHugh, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 48.

No Senators voting in the negative.

So the bill passed.

The title of the bill as read was adopted as the title of the act.

Senator Griffith offered the following resolution appointing the standing committees of the Sénate, and moved its adoption:

Resolved, That the standing committees of the Senate for the present session shall be composed of the following named Senators, to-wit:

On Finance.—Senators Magee, Hayden, Byrd, Howard, Akin, Hobson and Clemans.

On Judiciary.—Senators Burke, Griffith, Ewing, Kopelke, McHugh, Hubbell and Hays.

On Organization of Courts.—Senators Fulk, McGregor, Jones, Jackson, Holland, Boyd and Shockney.

On Education.—Senators Grimes, Fulk, McHugh, Chandler, Smith, Shockney and Yaryan.

On Corporations.—Senators Sweeney, Jackson, Ellison, Thompson of Pulaski, Holcomb, Shockney and Loveland.

On Roads.—Senators Shanks, Moore, French, Jackson, Fulk, Mount and Gilman.

On Benevolent Institutions.—Senators Bird, Kerth, Chandler, Morgan, Akin, Carver and Hobson.

On Agriculture.—Senators Akin, Ewing, Wiggs, Thompson of Huntington, French, Hanley and Caster.

On Banks.—Senators Hayden, Francis, Chandler, Kerth, Smith, Grose and Harlan.

On Public Printing.—Senators Kennedy, Francis, Ellison, McGregor, Moore, Mount and Clemans.

On Public Buildings and State Library.—Senators Foley, French, Holcomb, Hudson, Kopelke, Boyd and Gilman.

On State Prisons.—Senators Smith, McHugh, Sweeney, Ewing, Francis, Caster and Harlan.

On Swamp Lands and Drains.—Senators Howard, Thompson of Pulaski, Jones, Kopelke, Jackson, Shockney and Hanley.

On Fees and Salaries.—Senators Griffith, Sweeney, Lynn, Shanks, Fulk, Grose, Chandler, Grimes, Caster, Gilman, Smith, Morgan and Francis.

On Claims and Expenditures.—Senators Holland, Akin, French, Foley, Hudson, Boyd and Hubbell.

On Military Affairs.—Senators Lynn, Howard, Kennedy, Holcomb, Ellison, Grose and Clemans.

On Phraseology, Arrangement of Bills and Unfinished Business.—Senators Ellison, Byrd, Jackson, Akin, Kopelke, Mount and Yaryan.

On Federal Relations and Rights and Privileges of the Inhabitants of the State.—Senators Wiggs, Thompson of Huntington, Moore, Sweeney, Shanks, Loveland and Grose.

On Temperance.—Senators Kopelke, Kennedy, Ewing, Thompson of Pulaski, McHugh, Carver and Caster.

On County and Township Business.—Senators Jackson, Holland, Kennedy, Lynn, Wiggs, Hobson and Gilman.

On Public Health, Vital and other Statistics.—Senators Thompson of Pulaski, Hudson, Thompson of Marion, Morgan, Wiggs, Gilman and Yaryan.

On Insurance.—Senators Chandler, Holland, Sweeney, Grimes, McGregor, Hays and Hubbell.

On Railroads.—Senators Francis, Griffith, Burke, Grimes, Foley, Shockney and Clemans.

On Mines, Mining and Manufactures.—Senators Byrd, Kennedy, Grimes, Howard, Jones, Hobson and Caster.

On Congressional Apportionment.—Senators French, Kennedy, Ellison, Griffith, Hays, Yaryan, Hudson, Byrd, Boyd, Magee, Thompson of Huntington, Hayden and Howard.

On Legislative Apportionment.—Senators Thompson of Huntington, Holcomb, Lynn, Burke, Holland, Moore, Grose, Foley, Akin, Loveland, Gilman, Morgan and Jones.

On Supervision and Inspection of the Journal of the Senate.—Senators Jones, Ellison, Fulk, Kopelke, McGregor, Carver and Hanley.

On Executive Appointments.—Senators Holcomb, Wiggs, Thompson of Pulaski, Lynn, Kennedy, Harlan and Mount.

On Cities.—Senators Kerth, Hayden, Burke, Magee, Grimes Loveland and Hubbell.

On Labor and Labor Statistics.—Senators Hudson, Morgan, Shanks, Thompson of Huntington, Foley, Hubbell and Hobson.

On City of Indianapolis.—Senators Thompson of Marion, Hudson, Foley, Griffith, Kerth, Hubbell and Yaryan.

On Natural Gas Legislation.—Senators McHugh, Smith, Hayden, Jones, Thompson of Marion, Boyd and Harlan.

On Revision of Constitution.—Senators McGregor, Magee Burke, Howard, Lynn, Loveland and Boyd.

On World's Fair or Columbian Exposition.—Senators Ewing, Francis, Kerth, French, Shanks, Hays, Shockney, Chandler, Byrd, Magee, McHugh, Hayden and Mount.

On Rules of the Senate.—Senators Griffith, McGregor, McHugh, Kopelke, Jackson, Clemans and Hanley.

And the following named Senators shall constitute the Joint Standing Committees on the part of the Senate, to wit:

On Enrolled Bills.—Griffith, Holcomb and Harlan.

On Public Buildings.—Morgan, Holland and Carver.

On State Library.—Moore, Thompson of Marion, and Hanley.

Senator Francis, of the committees therein named, offered the following communication:

We, the undersigned Chairmen of the Committees on Education, Claims, Railroads, Reformatory Institutes and Federal Relations, comprising the second group of committees, do hereby appoint Henry H. Walker, of Laporte County, clerk of said committees for the session.

H. H. FRANCIS,
Chairman Committee on Railroads.

A. GRIMES,
Chairman Committee on Education.

W. G. HOLLAND,
Chairman Committee on Claims.

GEO. A. BYRD,
Chairman Committee on Benevolent Institutions.

H. J. WIGGS,
Chairman Committee on Federal Relations.

On motion of Senator Jones the Senate adjourned.

GEORGE S. PLEASANTS,
Assistant Clerk of the Senate.

IRA J. CHASE,
President of the Senate.

WEDNESDAY MORNING.

JANUARY 14, 1891.

The Senate convened at 10 o'clock, Lieutenant-Governor in the chair.

Prayer was offered by Rev. H. A. Cleveland, pastor Meridian Street M. E. Church, Indianapolis.

After the reading of a portion of the Journal, on motion of Senator Kopelke the further reading of the Journal was dispensed with.

The Chair appointed Senators Harlan, Hubbell and McGregor a committee to act with like committee of the House, to prepare a memorial and resolution of respect concerning the Hon. Samuel J. Carpenter, deceased.

Senator Thompson, of Marion, introduced the following resolution :

Resolved, That Leo Lefkowitz be appointed one of the pages of the Senate.

The resolution was adopted.

Senator Sweeney presented the following communication :

We, the undersigned, Chairmen of a majority of the committees of the first group (No. 1), which group is composed of the following committees: Fees and Salaries, Corporations, Banks, Insurance, Organization of Courts, do hereby appoint Chas. Zuckerigel Clerk of said group of committees, as we are authorized and empowered to do under statute.

F. M. GRIFFITH,
JOHN SWEENEY,
MORGAN CHANDLER,
F. J. HAYDEN,
R. A. FULK.

Senator Magee offered a petition signed by 100 merchants of Logansport, asking for the passage of the itinerant vendors' act, signed by Herman Frank and a hundred others.

Referred, without reading, to Committee on Cities and Towns.

Senator Shockney offered the following Senate Joint Resolution No. 3 :

Be it resolved by the Senate and House of Representatives of the State of Indiana, That our Senators in the United States Senate be instructed, and our Representatives in the House of Congress be requested, to propose and support a resolution proposing such amendment to the Constitution of the United States as will require the election of United States Senators by the people.

Senator Magee offered the following Concurrent Resolution No. 4:

Be it resolved by the Senate, the House of Representatives concurring, That, whereas, the Hendricks Monument Association, by its proper action heretofore taken, has donated to the State of Indiana the monument by it erected in the Capitol grounds to the memory of the late Thomas A. Hendricks, the same to be cared for and preserved as in the case of other State property; therefore,

Resolved, That the said donation is hereby accepted, and the Custodian of the State properties is hereby authorized and directed to care for and preserve the said monument as the public works and properties of the State are cared for.

Which was adopted.

Senator Caster offered the following resolution, which was referred to Committee on Education:

WHEREAS, Indiana is justly proud of her splendid common school system, wherein the youth of the State may acquire an education fitting them for the high responsibility of citizenship; and,

WHEREAS, The perpetuity and stability of our republican institutions are promoted by the education of the youth of all conditions; therefore,

Be it resolved by the Senate, That the Committee on Education be and it is hereby instructed to prepare and report a bill providing for furnishing free school books to all children attending the public schools, the expense thereof to be defrayed out of the public treasury: *Provided,* Such act shall have due regard to existing contract obligations of the State.

Senator Magee called up Concurrent Resolution No. 1, which had been made the special order for 11 o'clock A. M., Tuesday, January 13.

The resolution was adopted.

On motion of Senator Magee, Senator Smith was appointed the committee on the part of the Senate.

The following report from the committee to prepare resolutions on the death of Hon. George W. Cronk, was presented:

MR. PRESIDENT :

Your committee appointed to prepare a memorial and resolution of respect concerning the Hon. George W. Cronk, late a member of the Senate of the State of Indiana, respectfully submit the following :

WHEREAS, Since the adjournment of the Fifty-sixth General Assembly of the State of Indiana it has pleased Almighty God, in His infinite wisdom, to remove by death the Hon. George W. Cronk, late a member of the Senate from the counties of Fountain and Warren ; therefore,

Be it resolved, That the members of this body have heard of his death with feelings of deep regret, and extend to his bereaved family in their affliction our heartfelt sympathy.

Resolved, That we regarded him as a faithful, conscientious legislator, and that we remember him as a courteous and pleasant associate, and that his memory is endeared to us on account of his uniform kindness and devotion to what he conceived to be right.

Resolved, That these resolutions be spread in full upon the records of the Senate, and that the Secretary be directed to forward a copy of the same to his family.

J. FRANK HANLEY,
HARRY H. FRANCIS,
THOMAS E. BOYD.

The report was unanimously concurred in.

The roll being called for the introduction of bills.

Senator Thompson, of Marion, introduced Senate Bill No. 55, entitled :

A bill for an act for the protection of persons confined in the insane asylums of the State in their rights to communicate by letter with their friends, and to prevent sane persons being imprisoned in insane asylums ; and to punish persons violating the provisions of this act.

Read first time and referred to Committee on Benevolent Institutions.

Senator Clemans introduced Senate Bill No. 56, entitled :

A bill for an act for the security of money and property of minor children, and persons of unsound mind, declaring an emergency, and repealing conflicting laws.

Read first time and referred to Committee on County and Township Business.

Senator Francis introduced Senate Bill No. 57, entitled :

A bill for an act to amend Section 1 of an act entitled an act relative to the relocation of county seats, and the construction of county buildings in such cases, and repealing all laws or parts of laws in conflict with the provisions of this act, approved March 9, 1889, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Grimes introduced Senate Bill No. 58, entitled :

A bill for an act to amend sections 3 and 5 of an act concerning drainage and repealing certain laws relating to drainage, prohibiting the obstruction of drains established under the laws of this State, prescribing the penalty therefor, and declaring an emergency, approved April 6, 1885, by herein authorizing the County Commissioners in certain cases to issue bonds for the construction of such work, providing a means of remunerating the county, and declaring an emergency.

Read first time and referred to Committee on Swamp Lands and Drains.

Senator Grose introduced Senate Bill No. 59, entitled :

A bill for an act providing for the better government of Hospitals for the Insane, the Asylum for the Blind, and the Institution for the Deaf and Dumb, repealing laws in conflict herewith, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Senator Hanley introduced Senate Bill No. 60, entitled :

A bill for an act to legalize the incorporation of the town of Pine Village, Warren County, Indiana, the election and qualification of its Board of Trustees and other officers, and

all acts, orders, ordinances, resolutions, by-laws, minutes and proceedings of the Board of Trustees of said town, and other matters connected therewith, and declaring an emergency.

Read first time.

Senator Hanley moved that the constitutional rule be suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs, Yaryan. Total, 41.

Those voting in the negative were :

Senator Chandler. Total, 1.

So the rule was suspended and Senate Bill No. 60 was read a second time by title, and a third time by sections.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Morgan, Moore, Mount, McHugh, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 48.

So the bill passed, and the title to the bill as read was adopted as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 31, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also, the following message :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 118, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk of the House.

Also, the following message :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 119, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk.

Senator Ewing introduced Senate Bill No. 61, entitled :

A bill for an act abolishing the State Board of Agriculture, and transferring all its assets, liabilities and credits to a State Agricultural Board; providing for the creation of the State Agricultural and Industrial Board, providing the number of members constituting it, and for their appointment by the Governor, Secretary of State and Auditor of State; providing for the official terms, number of said Board and payment for service; defining the duties of officers and members of said Board, the number required to act at meeting, and defining the prices, the Board and its officers to hold and carry real estate and personal property; limiting the amount of land the Board may hold and own, and other matters connected therewith; repealing conflicting laws, and declaring an emergency.

Read first time and referred to Committee on Agriculture.

Senator Byrd introduced Senate Bill No. 62, entitled :

An act providing for the relief of the Supreme Court, providing for the selection and appointment of five assistants, each Judge thereof to select and appoint for his Judicial District one to assist him, defining the duties of said assistants, fixing the salary thereof, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Harlan introduced Senate Bill No. 63, entitled :

A bill for an act making it unlawful to burn natural gas in what are known as flambeau lights, making it a misdemeanor for violations thereof, and prescribing penalties therefor, and declaring an emergency.

Read first time and referred to Committee on Natural Gas.

Senator Holland introduced Senate Bill No. 64, entitled :

A bill for an act fixing the time of holding courts in the Sixth Judicial Circuit of the State of Indiana, prescribing the length of terms thereof, and repealing all laws in conflict therewith, and declaring an emergency.

Read first time.

Senator Holland moved that the constitutional rule be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howand, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee, Morgan, Moore, Mount, McHugh, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan.
Total, 45.

No Senator voting in the negative.

So the rule was suspended, the bill was read the second time by title, and the third time by sections.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Morgan, Moore, Mount, McHugh, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 46. •

No Senator voting in the negative.

So the bill was passed, and the title to the bill was adopted as the title of the act.

Senator Howard introduced the following resolution:

Resolved, That every bill providing for an appropriation of money shall first be referred to the appropriate committee, and if reported favorably by such committee shall therefore be referred to the Committee on Finance before its second reading.

Which resolution was adopted.

Senator Foley introduced Senate Bill No. 65, entitled:

A bill for an act to amend sections four (4), fifteen (15) and sixteen (16), of an act entitled, "An act for the incorporation of building, loan-fund and savings associations," which became a law March 11, 1885, and declaring an emergency.

Read a first time and referred to Committee on Judiciary.

Senator Kerth introduced Senate Bill No. 66, entitled:

A bill for an act to amend section 49 of an act entitled, "An act to amend the 15th, 19th, 31st and 42d sections of an act approved May 12, 1869, entitled "An act to provide for the organization of savings banks and the safe and proper management of their affairs."

Read a first time and referred to the Committee on Banks.

Senator Kopelke introduced Senate Bill No. 67, entitled :

A bill for an act to amend an act entitled an act to permit all patents "issued by the United States and the State of Indiana, conveying real estate in said State, and the second of all patents aforesaid that have been recorded in any county of this State, legal evidence in the courts thereof, and to provide for recording all patents aforesaid for said purpose," approved March 3, 1881.

Read first time and referred to Committee on Judiciary.

Senator Loveland introduced Senate Bill No. 68, entitled :

A bill for an act to amend section one of an act entitled "an act to authorize Boards of Commissioners to accept certain gravel roads, and maintain the same, and declaring an emergency," approved April 9, 1885.

Read first time and referred to Committee on Roads.

Senator Magee introduced Senate Bill No. 69, entitled :

A bill for an act to provide for the appointment of Commissioners for the collection, arrangement and display of its resources and developments, by the State of Indiana, at the World's Columbian Exposition of 1893, and making an appropriation therefor.

Read first time and referred to Committee on World's Fair.

Senator Morgan introduced Senate Bill No. 70, entitled :

A bill for an act to provide a remedy for attempted taxation of Indiana lands not subject to taxation, making such attempts unlawful, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Mount introduced Senate Bill No. 71, entitled :

A bill for an act to amend an act entitled, "An act to amend section 4 of an act entitled, 'An act to authorize the formation of companies for the detection and apprehension of horse

thieves and other felons, and for mutual protection, and repealing all laws inconsistent therewith, approved December 21, 1885, being section 3431 of the Revised Statutes of 1881, approved April 13, 1885," and to define the power of constables in pursuing and arresting horse thieves and other criminals.

Read first time and referred to Committee on Judiciary.

Senator McHugh introduced Senate Bill No. 72, entitled:

A bill for an act authorizing the Common Councils of cities organized under "An act to repeal all general laws now in force for the incorporation of cities and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867; to divide the said cities into wards; to change the boundaries of existing wards and to redistrict the same for ward purposes; providing for publication of notice of such action; repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Read first time and referred to Committee on Cities.

Senator Shockney introduced Senate Bill No. 73, entitled:

A bill for an act authorizing Boards of County Commissioners or other proper officers of counties of this State, adjoining other States, to join with the Boards of Commissioners or other proper authorities of such other States in the construction and repair of ditches, drains and water courses on, along, across or near to the State line between the State of Indiana and any adjoining State, and to keep the same in repair after construction, and in aid of and supplemental to the laws now in force in this State on that subject.

Read first time and referred to Committee on Swamp Lands and Drains.

Senator Sweeney introduced Senate Bill No. 74, entitled:

A bill for an act compelling railroad companies to establish suitable waiting rooms and toilet rooms in cities and all towns of five hundred population or more through which said roads are constructed, and defining the penalty for violation thereof.

Read first time and referred to Committee on Railroads.

Senator Thompson, of Pulaski, introduced Senate Bill No. 75, entitled:

A bill for an act to amend sections six and seven of an act entitled "a bill for an act prohibiting the obstruction of ditches or drains, providing a method of keeping them in repair, and providing a penalty for the violation thereof," approved February 28, 1889.

Read first time and referred to Committee on Swamp Lands and Drains.

Senator Byrd introduced the following memorial, to wit:

To the Honorable Members of the General Assembly of the State of Indiana:

GENTLEMEN—We, the miners of Indiana, do hereby present to your Honorably Body a pressing grievance under which we have labored during the past two years. The facts are as follows, to-wit:

WHEREAS, We, as members of an occupation which is extremely hazardous, and in which we are subject to dangers, which are unknown to members of other industries, requiring the utmost care and circumspection on our part, as well as the efficient management and superintendence on the part of our employers, both for the purpose of securing us against the treacherous freaks of the disemboweled earth, within which we work, and the direful effects of the noxious and poisonous vapors and gases which generate therein; and,

WHEREAS, The many incidents which daily occur to jeopardize the life and limb of the members of our craft are too numerous to mention, but many of which are preventable by proper measures being taken by those operating the mines of the State; and,

WHEREAS, Your honorable predecessors having recognized the latter fact, and in consequence have established the office of Mine Inspector, who is supposed to attend to the matter of regulating, according to law, the mines of the State; and,

WHEREAS, No one who has not a practical knowledge of mines and mining can completely perform the functions of this office; and,

WHEREAS, It has pleased his Excellency, the Governor of Indiana, to appoint to and retain a man in this office during the past two years who has not the first rudiments of any knowledge appertaining to mines or the dangers to be met therein or the best means to avoid the same; and,

WHEREAS, We have suffered in consequence of his inefficiency by being forced to breathe poisonous air while following our daily vocation and by being subject to other dangers which we ought to be secured against, such as passing through unsafe entries and in working without proper means of escape; and,

WHEREAS, Every advantage has been taken by the coal operators of the State to elude a compliance with the mining law of the State because of the inability of the present incumbent of the office of Mine Inspector, rendering the mining law a farce and the aforesaid office an anomaly.

We, therefore, pray and request that you will take some steps to relieve us by precluding the possibility of the present incumbent of reappointment and we also pray that you enact a law securing to us, and for the benefit of the State at large, the appointment of an efficient and practical mine inspector.

Signed by Jno. Cauldwell and four thousand others.

Senator Byrd moved to refer the above memorial to the Committee on Executive appointments.

Senator Boyd moved to amend Senator Byrd's motion by calling the attention of the Governor to the petition.

The amendment failed of adoption.

The question recurring on the original motion, the same was carried, and the memorial was referred to Committee on Executive Appointments.

Senator Ewing moved that the Committee on Rules be requested to report rules for the government of the Senate as soon as possible, and that thereupon the rules be printed, together with lists of standing committees, and names and addresses of Senators.

The motion was adopted.

Senator Hubbell presented the following report:

MR. PRESIDENT:

Your Committee on Mileage report the following Senators in this body, with the number of miles traveled, and the amount of mileage to which each is entitled:

Akin, 218 miles.....	\$43 60
Boyd, 44 miles.....	8 80
Burke, 220 miles.....	44 00
Byrd, 120 miles.....	24 00
Carver, 380 miles.....	76 00
Caster, 96 miles.....	19 20
Chandler, 42 miles.....	8 40
Clemans, 208 miles.....	41 60
Ellison, 200 miles.....	40 00
Ewing, 94 miles.....	19 80
Foley, —	
Francis, 322 miles.....	64 40
French, 420 miles.....	84 00
Fulk, 162 miles.....	32 40
Gilman, 220 miles.....	44 00
Griffith, 212 miles.....	42 40
Grimes, 144 miles.....	28 80
Grose, 90 miles.....	18 00
Hanley, 200 miles.....	40 00
Harlan, 100 miles.....	20 00
Hayden, 266 miles.....	53 20
Hays, 80 miles.....	16 00
Hobson, 120 miles	24 00
Holcomb, 324 miles.....	64 00
Holland, 244 miles.....	48 80
Howard, 320 miles.....	64 00
Hubbell, 320 miles.....	64 00
Hudson, —	
Jackson, 336 miles.....	67 20
Jones, 250 miles.....	50 00
Kennedy, 250 miles.....	50 00
Kerth, 364 miles.....	72 80
Kopelke, 310 miles.....	62 00
Loveland, 150 miles.....	30 00
Lynn, 250 miles.....	50 00

McGregor, 172 miles	\$34 40
Magee, 154 miles.....	30 80
Morgan, 318 miles	63 60
Moore, 58 miles.....	11 60
Mount, 108 miles.....	21 60
Osborn, 150 miles.....	30 00
Shanks, 300 miles... ..	60 00
Shockney, 168 miles.....	33 60
Smith, 150 miles	30 00
Sweeney, 494 miles.....	98 80
Thompson of Huntington and Wells, 200 miles.....	40 00
Thompson of Pulaski, White and Carroll, 208 miles.....	41 60
Wiggs, 298 miles.....	59 60
Yaryan, 160 miles.....	32 00
Mr. President, 40 miles.....	8 00

O. Z. HUBBELL,
E. W. SHANKS,
JOHN MCGREGOR.

The report was concurred in.

Senator Hubbell also presented the following report:

MR. PRESIDENT:

Your Committee on Mileage beg leave to report that Senator McHugh is entitled to the following allowance for mileage:

128 miles.....	\$25 60
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O. Z. HUBBELL,
E. W. SHANKS,
JOHN MCGREGOR.

The report was concurred in.

Senator Magee introduced Senate Bill No. 76, entitled:

A bill for an act enabling Superintendents of Hospitals for Insane to make room for recent cases by the discharge of harmless, incurable patients, repealing all inconsistent laws, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Senator Magee introduced Senate Bill No. 77, entitled :

A bill for an act providing for the reimbursement of the Medical Superintendent and others on account of advances of money and supplies made for the use of the Northern Hospital for Insane in 1889, and declaring an emergency.

Read first time and referred to Committee on Finance.

Senator Magee introduced Senate Bill No. 78, entitled :

A bill for an act to authorize counties to purchase toll roads and make them free, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Public Roads.

Senator Magee introduced Senate Bill No. 79, entitled :

A bill for an act defining usury, providing for penalties, and repealing all laws and parts of laws in conflict therewith.

Read first time and referred to Committee on Judiciary.

Senator Akin moved to adjourn, but the motion was lost.

Senator Ewing moved that when the Senate adjourn it be till to-morrow morning.

The motion was rejected.

President Chase announced that he had signed House Bill No. 21.

On motion of Senator Akin, the Senate adjourned.

WEDNESDAY AFTERNOON.

JANUARY 14, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

Senator Morgan moved that Senate Bill No. 10 be called back from Committee on Finance and referred to Committee on Benevolent Institutions.

The motion was agreed to.

Senator Ewing moved that Senate Bill No. 49 be withdrawn from Committee on Cities and Towns, that the Constitutional Rule be suspended, and that the bill be read a second time by title, read a third time by sections and put upon its passage.

The question being on the suspension of the Constitutional Rule, the roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Morgan, Moore, Mount, McHugh, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 43.

No Senator voting in the negative.

So the Constitutional Rule was suspended, and Senate Bill No. 49 was read a second time by title, considered engrossed, and read a third time by sections.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones,

Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee, Morgan, Moore, Mount, McHugh, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 48.

No Senator voting in the negative.

So the bill was passed, and the title to the bill was adopted as the title to the act.

President Chase laid before the Senate House Joint Resolution No. 1.

A Joint Resolution for the appointment of a joint committee to investigate the subject of the taxation, by the State, of corporations and inheritances, and to prepare and report a bill providing therefor:

Be it resolved by the General Assembly of the State of Indiana, That the Speaker of the House of Representatives be and he is hereby instructed to appoint five members of the House, and the Lieutenant-Governor is instructed to appoint four members of the Senate, who together shall constitute a joint committee to investigate the subject of taxation by the State of corporations doing business in the State, and of inheritances, and that such committee be instructed to prepare and report to both branches of this General Assembly, at the earliest practicable moment, a bill or bills providing for such fair and equitable assessment of such corporations and inheritances as will require them to bear their just proportion of the burden of maintaining the State government.

The resolution was read and Senator Shockney moved its adoption.

Senator Magee moved to amend by referring the resolution to Committee on Finance.

The amendment was rejected.

The question recurring on Senator Shockney's motion, the same prevailed and House Joint Resolution No. 1 was adopted.

President Chase laid before the Senate House Concurrent Resolution No. 5:

Resolved by the House of Representatives, the Senate concurring, That our Senators be instructed and our Representatives in Congress be requested to use their influence in favor of the enactment of a law creating a Cabinet office of Secretary of Labor, believing such legislation is proper and just for the best interests of the people; and,

Be it further resolved, That a copy of this resolution be furnished each United States Senator and Congressman, also to every Legislature now in session in the United States, requesting them to pass similar resolutions.

Resolution was read and on motion of Senator Howard it was adopted.

President Chase laid before the Senate Engrossed House Bill No. 31, entitled:

A bill for an act to legalize the incorporation of the town of Patoka, in Gibson County, in the State of Indiana, and to legalize the official acts of the several Boards of Trustees and officers of said town, and declaring an emergency.

Read first time.

Senator Holcomb moved that the constitutional rule be suspended, that the bill be read a second time by title, considered engrossed, and read a third time by sections.

The question being on the suspension of the rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee, Moore, Mount, McHugh; Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 46.

Those voting in the negative were :

Senators Burke, Grose and Morgan. Total, 3.

So the rule was suspended and the bill was read a second time by title, considered engrossed, and read a third time by sections.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Ch Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee, Morgan, Moore, Mount, McHugh, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 48.

No Senator voting in the negative.

So House Bill No. 31 passed, and the title to the bill was adopted as the title to the act.

Senator Byrd called up Concurrent Resolution No. 2 for consideration and moved its adoption.

The ayes and noes being demanded by Senators Boyd and Loveland.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Hudson, Howard, Hubbell, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, Magee, Morgan, Moore, Mount, McHugh, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 46.

Those voting in the negative were :

Senators Ewing, Kopelke. Total, 2.

The resolution was adopted.

Senator Ewing moved to adjourn.

The ayes and noes being demanded by Senators Boyd, Byrd, Burke, Grose and Howard.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Ewing, Hudson, Jones, Kopelke. Total 4.

Those voting in the negative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Foley, Fulk, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Jackson, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 43.

So the motion to adjourn did not prevail.

President Chase laid before the Senate House Concurrent Resolution No. 6, which is as follows :

Resolved by the House of Representatives, the Senate concurring, That our Senators be instructed and our members in Congress be requested to use their influence to secure the adoption of an amendment to the Constitution of the United States to provide for the election of United States Senators by direct vote of the people, and that a copy of this resolution be sent to each of our Senators and members of Congress.

Senator Shockney moved the adoption of the resolution.

Senator Burke moved to amend by referring the resolution to the Committee on Federal Relations, which amendment was rejected.

The question recurring on Senator Shockney's motion, House Concurrent Resolution No. 6 was adopted.

President Chase laid before the Senate House Bill No. 118, entitled :

A bill for an act legalizing the acts of the Board of Trustees of the town of Troy, in Perry County.

Read first time and referred to Committee on Cities and Towns.

President Chase laid before the Senate Engrossed House Bill No. 119, entitled :

A bill for an act to legalize the incorporation of the town of Carpentersville, Putnam County, Indiana, the election and qualification of its several Boards of Trustees and other officers, and all acts, orders, ordinances, resolutions, by-laws, minutes and proceedings of the Board of Trustees of said town, and other matters connected therewith, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

On motion of Senator Shockney the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Clerk of Senate.

THURSDAY MORNING.

JANUARY 15, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. J. H. Green, Pastor of First Methodist Protestant Church, Indianapolis.

After the reading of a portion of the Journal, on motion of Senator Griffith, the further reading of the Journal was dispensed with.

Senator Griffith presented the following communication:

MR. PRESIDENT:

The undersigned, chairmen of a majority of the Senate Standing Committees, constituting the third group, hereby appoint James R. Pro, of Orange County, as clerk of said group of committees.

E. W. SHANKS,
Chairman Committee on Roads.

C. T. AKIN,
Chairman Committee on Agriculture.

H. B. SMITH,
Chairman Committee on Prisons.

IVERSON LYNN,
Chairman Committee on Military Affairs.

D. H. ELLISON,
Chairman Committee on Phraseology.

J. S. FRENCH,
Chairman Committee on Congressional Apportionment.

G. H. THOMPSON,
Chairman Committee on Legislative Apportionment.

A. G. HOLCOMB,
Chairman Committee on Executive Appointments.

HENRY T. HUDSON,
Chairman Committee on Labor.

JOHN F. McHUGH,
Chairman Committee on Natural Gas.

JOHN MCGREGOR,
Chairman Committee on Revision of Constitution.

F. M. GRIFFITH,
Chairman Committee on Rules of Senate.

W. C. THOMPSON,
Chairman Committee on City of Indianapolis.

The report was concurred in.

Senator Ewing offered the following resolution and moved its adoption:

MR. PRESIDENT:

WHEREAS, The third group of committees of the Senate consists of over twenty, and it is impossible for one clerk to discharge the duties as said clerk; therefore be it

Resolved, That the committees of Cities and Towns, Public Health, Inspection of the Journal, Temperance, Swamp Lands, State Prison, Federal Relations, City of Indianapolis, Legislative Appointments, Natural Gas, Mines and Mining, Agriculture, Public Buildings, and Military Affairs, shall be entitled to one clerk, and that the remainder of said third group be entitled to one clerk.

Senator Shockney raised the point of order that the resolution was in violation of section 4972, R. S. 1881. The Chair stated that he would not rule on the point of order raised by the Senator from Delaware, as the Chair and the minority were on record in opposition to violating the statutes by appointing clerks and other helpers not named therein.

So the chair overruled the point of order.

The ayes and noes being demanded on Senator Ewing's resolution, by Senators Hays and Hobson.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Byrd, Ewing, Foley, Francis, Grimes, Howard, Hudson, Jackson, Jones, Kerth, Kopelke, Magee, Morgan, Moore, Smith, Sweeney, Thompson of Marion, Thompson of White, Pulaski and Carroll. Total, 18.

Those voting in the negative were:

Senators Boyd, Carver, Caster, Chandler, Clemans, Ellison, French, Fulk, Gilman, Grose, Harlan, Hanley, Hays, Hobson, Holcomb, Holland, Hubbell, Kennedy, Loveland, McGregor, Mount, Shanks, Shockney, Thompson of Huntington and Wells, Wiggs and Yaryan. Total, 26.

The resolution failed of adoption.

Senator Magee moved to reconsider the vote by which the Senate adopted House Joint Resolution No. 1.

The ayes and noes being demanded by Senators Byrd and Magee.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Chandler, Foley, Francis, French, Fulk, Griffith, Grimes, Grose, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, McHugh, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 34.

Those voting in the negative were:

Senators Boyd, Caster, Gilman, Hanley, Harlan, Hays, Howard, Loveland, Mount, Shockney and Yaryan. Total, 11.

So Senator Magee's motion to reconsider the action of the Senate on House Joint Resolution No. 1 prevailed.

The following message was received from the Governor:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that on January 18, 1890, he appointed Isaac H. C. Royse, of Terre Haute, and Murray Briggs, of Sullivan, Trustees of the State Normal School, to serve four years, and the same is respectfully submitted for your consideration.

W. B. ROBERTS,
Private Secretary.

Senator Shockney moved that the appointments made by the Governor be confirmed.

Senator Burke moved to amend by referring the matter to Committee on Executive Appointments.

The amendment prevailed.

The question recurring on the original motion as amended, the same carried, and the Governor's appointments were referred to the Committee on Executive Appointments.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 124, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has adopted the Joint Rules of the House and Senate, as reported by the Joint Committee of the two Houses.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Senator Fulk offered the following resolution:

MR. PRESIDENT:

I offer the following, and move its adoption:

Resolved by the Senate, That the Custodian of the Senate be and he is hereby instructed to move all seats in the Senate three feet and two inches north and nearer to the desk of the President of the Senate.

Senator Loveland moved to amend the resolution of Senator Fulk by adding:

That the aisles be narrowed and desks of the Senators placed in eight rows, from north to south, instead of seven.

The amendment was accepted.

Senator Boyd offered as a substitute to the resolution as amended:

That a committee of three be selected to arrange seats.

The substitute was adopted.

President Chase appointed Senators Fulk, Loveland and Boyd as members of the committee.

Senator Burke, from the Committee on Judiciary, reported that Burt Parker is appointed as Clerk of the Committee on Judiciary.

Senator Howard, Chairman of the Committee on Swamp Lands and Drains, offered the following report on Senate Bill No. 38:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drainage, to whom was referred Senate Bill No. 38, introduced by Senator Shanks, would recommend the following amendment:

Add to the first section the words: "Nor the expense to the State increased beyond the original appropriation."

And that when so amended the bill do pass.

T. E. HOWARD,
Chairman.

Senator Hays introduced Senate Bill No. 80, entitled:

A bill for an act providing for the appointment of administrators *de bonis non* in certain cases and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Clemans introduced Senate Bill No. 81, entitled:

A bill for an act concerning roads and highways.

Read first time and referred to Committee on Roads.

Senator Ewing introduced Senate Bill No. 82, entitled:

A bill for an act to repeal Section 80, the same being Section 1983 of the Revised Statutes of 1881, of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881.

Read first time and referred to Committee on Judiciary.

Senator Fulk introduced Senate Bill No. 83, entitled :

A bill for an act to repeal Sections 1 and 2 of an act entitled an act in relation to animals running at large, in force May 31, 1879, being Sections 2637 and 2638 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

By request, Senator Boyd introduced Senate Bill No. 84, entitled :

A bill for an act to amend sections one (1) three (3) five (5) and seven (7) of an act entitled an act to establish city courts in cities having a population of over six thousand inhabitants, defining their jurisdiction, and the mode of procedure therein, approved March 12, 1875, and being sections 3204, 3206, 3207, 3209 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Gilman introduced Senate Bill No. 85, entitled :

An act to legalize the acts of the several Boards of Trustees of the town of Fowler, Benton County, Indiana, and all the ordinances and by-laws now existing and passed by said Boards, and to establish and legalize the surveys, platting and laying out and incorporation of said town, and legalizing the assessments, collections and levying of all taxes by said Boards of Trustees, and declaring an emergency.

Read first time.

Senator Gilman moved that the Constitutional Rule be suspended, and that Senate Bill No. 85 be read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being on the suspension of the constitutional rule, the roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes,

Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 43.

Those voting in the negative were :

Senators Burke, Chandler, Morgan. Total, 3.

So the constitutional rule was suspended and Senate bill No. 85 was read a second time by title, considered engrossed and read a third time by sections.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 42.

No Senator voting in the negative.

So Senate bill No. 85 passed.

The title to the bill was adopted as the title to the act.

On motion of Senator Foley the Senate adjourned.

THURSDAY AFTERNOON.

JANUARY 15, 1891.

The Senate convened at 2 o'clock p. m., Lieutenant-Governor in the chair.

Senator Francis granted leave of absence for the afternoon.

Senator Grose introduced Senate Bill No. 86, entitled :

A bill for an act to regulate the sale of intoxicating liquors; defining the terms and conditions upon which the same may be sold; tax for selling the same; damages for the injuries caused by the sale thereof; providing penalties for the violations of the provisions of this act, and repealing all laws in conflict therewith.

Read first time and referred to Committee on Temperance.

Senator Harlan introduced Senate Bill No. 87, entitled :

A bill for an act to amend section 196 of an act entitled "An act concerning proceedings in criminal cases," being section 1771 of the Revised Statutes of 1831, approved April 19, 1881.

Read first time and referred to Committee on Judiciary.

Senator Hays introduced Senate Bill No. 88, entitled :

A bill for an act to legalize conveyances of real estate made by attorneys in fact, where they have signed their own name to instruments of conveyance instead of that of their principal, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Holcomb introduced Senate Bill No. 89, entitled :

A bill for an act repealing sections 1, 2 and 3 of the act of 1875, entitled "An act to authorize the construction of railroads by counties and townships making donations to railroad companies," the same being sections 4045, 4046 and 4647 of the Revised Statutes of 1881, and approved 17th day of March, 1875.

Read first time and referred to Committee on County and Township Business.

Senator Holland introduced Senate Bill No. 90, entitled :

An act making the published opinions of the Supreme Court of Indiana evidence in certain cases, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Howard introduced Senate bill No. 91, entitled :

A bill for an act to authorize the issue of graduated drainage bonds by Boards of County Commissioners for the payment of assessments in drainage under acts of the General Assembly, approved March 8, 1881, and March 8, 1883, and providing for the reimbursement of the several counties of this State for payment of principal and interest on said bonds, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hubbell introduced Senate Bill No. 92, entitled :

A bill for an act to amend Sections 49 and 50 of an act entitled an act concerning proceedings in criminal cases, approved April 19, 1881, and being Sections 1622 and 1623 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Kennedy introduced Senate Bill No. 93, entitled :

A bill for an act for the relief of Stewart Porter, ex-Trustee of Reeve Township, county of Daviess, State of Indiana, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Kennedy also presented a petition from citizens of Reeve Township, Daviess County, Indiana, for relief of Stewart Porter.

To the Senate and House of Representatives of the State of Indiana :

Your petitioners, citizens and taxpayers of Reeve Township, Daviess County, Indiana, would respectfully represent that at the April election in said township in the year 1884, one Stewart Porter, a citizen of said township, was elected to the office of Trustee thereof; that pursuant to said election said

Porter qualified and entered upon the discharge of the duties of said office; that at the time of said Porter's election, and thereafter, the banking house of Hyatt, Leving & Co., at Washington, Indiana, was engaged in a regular banking business in said county; that said banking house enjoyed the confidence of the people of said county to a very large degree and was very largely patronized by the farmers and business men of said county, together with a number of Trustees of said county; that said Porter, as Trustee aforesaid, having a like confidence in said banking house with his neighbors and fellow Trustees of said county, deposited large sums of the funds which came to his hands as such officer in said bank; that about the tenth day of November, 1884, without any warning being given to the patrons of said bank, it suspended business and failed, to the great loss of divers depositors; that at the time of said failure the said Porter had deposited in said bank the sum of four hundred and fifty dollars (\$450) of the funds of said township, and which said sum remained and was in said bank at the time of the failure thereof. Your petitioners would further show that in the settlement of the business of the said banking house the patrons and depositors thereof realized the sum of seventy (70) per cent. on the dollar of their respective deposits; that said Porter in said settlement realized the sum of three hundred and fifteen dollars (\$315); that the additional sum of one hundred and thirty-five dollars (\$135) was a total loss to the said township without any fault or neglect on the part of said Porter, and which amount he was compelled to pay, and did pay, to said township out of his own private means, and the same became and remains a total loss to the said Porter.

Now, therefore, your petitioners, believing that said Trustee acted in good faith in making his deposits, as such Trustee, in said bank, and that other trustees of said county, who have been placed in a like position, on account of the failure of said banking house, have received redress by legislative enactment, would respectfully pray your honorable bodies that a special act be passed by your honorable bodies authorizing the present Trustee of the said Township of Reeve, in the county and State aforesaid, to pay to the said Stewart Porter, out of any funds in his hands, not otherwise appropriated, the sum of

one hundred thirty-five dollars (\$135), the amount lost by said Porter as aforesaid, together with interest at the rate of six (6) per cent. per annum thereon, from the tenth of November, 1884, to the present time, and for which they will ever pray.

Signed by Jabez A. McCord and three hundred others.

Senator Kopelke, by request, introduced Senate Bill No. 94, entitled :

A bill for an act to establish County Courts, providing for a Judge thereof, and fixing the amount of his salary.

Read the first time and referred to Committee on Organization of Courts.

Senator McHugh introduced Senate Bill No. 95, entitled :

A bill for an act to amend section 461 of an act concerning proceedings in civil cases, in force on and after September 19, 1881, the same being section 581 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Senator Magee introduced Senate Bill No. 96, entitled :

A bill for an act providing for the current expenses of the Northern Indiana Hospital for Insane for the biennial period ending October 31, 1893.

Read first time and referred to the Committee on Finance.

Senator Shockney introduced Senate Bill No. 97, entitled :

A bill for an act concerning the employment of physicians and surgeons for the pauper poor who are not maintained in the county asylums of the several counties of the State of Indiana, and to repeal all laws and parts of laws inconsistent therewith.

Read first time and referred to Committee on Public Health, Vital and Other Statistics.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 64, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Principal Clerk.

Said bill was ordered enrolled.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 182, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Principal Clerk.

Senator Sweeney introduced Senate Bill No. 98, entitled :

A bill for an act compelling telegraph companies operating lines outside of corporate towns and cities to construct such telegraph lines at least thirty feet from any residence along such line and defining the penalty for violation thereof.

Read first time and referred to Committee on Judiciary.

Senator Wiggs introduced Senate Bill No. 99, entitled :

A bill for an act to legalize illegitimate children, that they may inherit from the father as if they were legitimate.

Read first time and referred to Committee on Judiciary.

Senator Byrd called up House Bill No. 124, entitled :

A bill for an act to require the Auditor of the State of Indiana to make and deliver to Luther H. Mott a good and sufficient deed for the northeast quarter ($\frac{1}{4}$) of the southwest quarter ($\frac{1}{4}$) section thirty (30), township twenty-two (22) north, in range three (3) east, in Tipton County, State of Indiana, and declaring an emergency.

Read first time.

Senator Boyd moved that the constitutional rule be suspended; that Engrossed House Bill No. 124 be read a second time by title; read the third time by sections, and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 44.

Those voting in the negative were:

Senators Burke, Jones, Morgan and Smith. Total, 4.

So the constitutional rule was suspended.

So the bill was read a second time by title, and a third time by sections.

The question being, Shall the bill pass?

The roll was called, resulting as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Hudson, Jackson, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 40.

Those voting in the negative were:

Senators Burke, Jones, Morgan and Smith. Total, 4.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed House Bill No. 182 was read a first time.

Senator Grose moved that the constitutional rule be suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Carver, Caster, Chandler, Clemans, Ellison, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hays, Holland, Howard, Hubbell, Hudson, Jackson, Kerth, Kopelke, Loveland, McGregor, McHugh, Magee, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, and Yaryan. Total, 34.

Those voting in the negative were :

Senators Akin, Burke, Hayden, Holcomb, Jones, Kennedy, Morgan and Smith. Total, 8.

So the rule was suspended, and the bill was read a second time by title and a third time by sections.

The question being, Shall the bill pass?

The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 46.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Fulk, Chairman of the Committee on Satisfactory Arrangement of Seats, presented the following report and resolution :

MR. PRESIDENT :

The Special Committee appointed to provide a satisfactory re-arrangement of the desks of Senators, having conferred with the Custodian of the Senate Chamber, and received his assurance that if the matter be left in his hands the seats will be satisfactorily arranged, report the following resolution, and move its adoption :

Resolved, That the Custodian of the Senate Chamber be and he is hereby instructed to re arrange the desks of Senators, to the end that better facilities may be afforded to hear and participate in the deliberations of the Senate.

The resolution was adopted.

Senator McGregor offered the following resolution :

Resolved, That the Secretary of State be required to report at once to the Senate what, if any, action was taken by the last General Assembly in reference to the proposed amendments to the Constitution of Indiana.

On motion of Senator Byrd the resolution was adopted.

Senator Griffith, Chairman of Joint Committee on Enrolled Bills, presented the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report, that after examination, they find House Bill No. 31 correctly enrolled.

F. M. GRIFFITH,
Chairman of Committee.

President Chase announced that he had signed Enrolled House Act No. 31.

Senator Byrd offered the following resolution and moved its adoption :

WHEREAS, There is complaint and criticism throughout the State in regard to the management of the Eastern Indiana Hospital for the Insane, located at Richmond, and the treatment of patients and wards of that institution. Whether such complaints are true or unfounded, the further welfare and reputation of that institution, as well as the high standing of the State, in the treatment and care of the patients and wards of its institutions of benevolence, erected and maintained by the people, demand a full and fair investigation of its management; therefore, be it

Resolved by the Senate, the House of Representatives concurring. That a sub-committee of four members, to be selected by the Chairman of the Committee on Benevolent Institutions, on the part of the Senate, to act with a sub committee of five, selected in a like manner on the part of the House, two members to be selected from the majority and two from the minority on the part of the Senate, to fully and thoroughly investigate the condition and affairs of the Eastern Indiana Hospital for the Insane, with power to send for persons and papers, to employ a stenographer, and to report their acts to the General Assembly at as early a day as possible.

Senator Shockney moved the adoption of the following substitute:

WHEREAS, One, James A. Woods, an attendant in the Eastern Hospital for the Insane, of the State of Indiana, has been charged with the murder of Thomas J. Blount, an inmate of said Institution; and

WHEREAS, Two other attendants employed therein are charged with unlawfully and brutally beating and kicking, and otherwise maltreating another patient in said hospital; and

WHEREAS, It has been publicly reported and charged that other acts of crime and brutal treatment have been inflicted upon the unfortunate persons confined in said asylum by persons employed therein; that persons in charge of the management of said hospital, and certain attendants and other employes therein, are unfit and unqualified for the positions to which they have been appointed; that they have been grossly

derelict in their duties, have greatly mismanaged said institution, and abused or allowed, suffered or permitted others to abuse and ill-treat the State's wards consigned to their care; therefore, be it

Resolved by the Senate, the House concurring, That a committee of four be appointed by the House to act with a committee to be appointed by the Senate, two members to be selected by the President of the Senate, and two members to be selected by the majority and two by the minority on the part of the House, to fully and thoroughly investigate the said charges and the general management, condition and affairs of said Eastern Hospital, with power to send for persons and papers, to employ a stenographer and typewriter, and report at as early a day as possible.

Senator Boyd moved that the consideration of the resolution and substitute be made the special order for 2 o'clock P. M., January 26th.

This motion failed of adoption.

The question recurring on the adoption of Senator Shockney's substitute.

The ayes and noes being demanded by Senators Grose and Shockney.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Carver, Caster, Clemons, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Shockney, and Yaryan. Total, 15.

Those voting in the negative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 33.

So Senator Shockney's substitute failed of adoption.

Senator Boyd moved to amend Concurrent Resolution No. 5 by providing that the majority name two of the members of the committee and the minority name two of the members of the committee.

Senator Byrd moved to reject the amendment.

The ayes and noes being demanded by Senators Boyd and Grose.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Byrd, Chandler, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Hudson, Jackson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, and Wiggs. Total, 28.

Those voting in the negative were:

Senators Akin, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Howard, Hubbell, Kennedy, Loveland, Magee, Mount, Shockney, Yaryan. Total, 18.

So the amendment was rejected.

Senator Shockney moved to amend the resolution so that the minority appoint two members of the committee.

The amendment was lost.

Senator Hudson moved to reconsider the vote on Senator Byrd's motion to reject Senator Boyd's amendment.

The ayes and noes being demanded by Senators Chandler and Byrd.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Hays, Hobson, Howard, Hubbell, Hudson, Kennedy, Loveland, Magee, Moore, Mount, Shockney and Yaryan. Total, 20.

Those voting in the negative were:

Senators Burke, Byrd, Chandler, Ellison, Foley, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Jackson,

Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 26.

So the motion to reconsider failed.

Senator Byrd, on his motion to adopt his resolution, demanded the previous question.

The question being, Shall the Senate second the demand for the previous question?

The demand for the previous question was seconded by the Senate.

The question is, Shall the main question be now put?

Which carried.

The question recurring on the adoption of Senator Byrd's resolution.

The ayes and noes being demanded by Senators Byrd and Ewing.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, Wiggs and Yaryan. Total, 48.

No Senator voting in the negative.

So Senate Concurrent Resolution No. 5 was adopted.

On motion of Senator Ewing the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Clerk of the Senate.

FRIDAY MORNING.

JANUARY 16, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. J. F. Williams, pastor of North Baptist Church, Indianapolis.

After the reading of a portion of the Journal, on motion of Senator Boyd the further reading of the Journal was dispensed with.

Senator Howard, Chairman of Committee on Swamp Lands and Drains, made the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to whom was referred Senate Bill No. 7, introduced by Senator Jackson, beg leave to report the same back with the recommendation that it be indefinitely postponed.

The report of the committee was concurred in.

Also the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to whom was referred Senate Bill No. 73, introduced by Senator Shockney, beg leave to report the same back, with the recommendation that it do pass.

Also the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to whom was referred Senate Bill No. 75, introduced by Senator Thompson of Pulaski, beg leave to report the following amendments, to-wit:

After the title of said bill insert the words "and to amend the title of said act."

And also add to the title of said bill the words, "and declaring an emergency."

Insert before the words "Be it enacted" the following words: "Section 1."

Insert before the words "Section 7" the following:

Section 2. That section 7 of said act shall be amended to read as follows:

In section 7 of the amended act, lines 3 and 4 of the bill, strike out the words "First day of October of each year" and insert in lieu thereof the following: "Expiration of the time fixed in each year by the Trustee for the completion of each allotment."

Also add the following sections to said bill:

Section 3. The title of said act is amended by striking out the words "A bill for."

Section 4. Whereas, An emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.

And when so amended that the bill do pass.

Senator Foley introduced Senate bill No. 100, entitled:

A bill for an act appropriating money for the payment of a judgment against the State of Indiana, in the Superior Court of Marion County, in favor of Henry Stacy, and declaring an emergency.

Read first time and referred to Committee on Claims.

Senator Foley introduced Senate Bill No. 101, entitled:

A bill for an act to amend Section 196 of an act approved April 19, 1881, the same being Section 1771 of the Revised Statutes of 1881, entitled an act concerning proceedings in criminal cases; providing that the defendant shall have the right to change of venue from county in all criminal cases, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Harlan introduced Senate Bill No. 102, entitled :

A bill for an act to make certain reductions from taxation on real estate; providing for the payment of taxes on mortgages and vendor's liens; prescribing certain duties to be performed by County Auditors and Township Assessors; repealing all laws in conflict with this act, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Kopelke introduced Senate Bill No. 103, entitled :

A bill for an act to provide for the acknowledgment and recording of conveyances, mortgages and other instruments executed in foreign countries.

Read first time and referred to Committee on Judiciary.

Senator Magee introduced Senate Bill No. 104, entitled :

A bill for an act to amend section 3 of an act entitled "An act concerning drainage, and repealing certain laws relating to drainage, prohibiting the obstruction of drains established under the laws of this State, prescribing the penalty thereof, and declaring an emergency," approved April 6, 1885, and being section 1186 of Elliott's Supplement to the Indiana Statutes.

Read first time and referred to Committee on Swamp Lands and Drainage.

Senator Shockney introduced Senate Bill No. 105, entitled :

A bill for an act for the superintendency of the works of repairs on the several free turnpike roads in the various counties in the State of Indiana.

Read first time and referred to Committee on Public Roads.

Senator Hanley introduced Senate Bill No. 106, entitled :

A bill for an act to amend Section 16 of an act concerning public offenses and their punishment, approved April 14, 1881, the same being Section 1917 of the Revised Statutes of the State of Indiana, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Kopelke called up Concurrent Resolution No. 2, and moved its adoption.

The motion prevailed.

Senator Moore offered the following resolution:

Resolved, That William H. Gamble, a one-armed Union soldier, be and he is hereby appointed Assistant Postmaster and mail carrier.

Senator Hays raised the point of order that the resolution was in violation of the statute.

The Chair sustained the point of order and ruled the resolution out of order.

Senator Holland presented the following memorial:

BROOKVILLE SOCIETY OF NATURAL HISTORY, }
BROOKVILLE, IND., January 6, 1891. }

The following resolutions were adopted by the farmers of Franklin County at the Farmers' Institute held here December 16 and 17, 1890:

(1) *Be it Resolved*, That we, the farmers of Franklin County, do memorialize the Legislature of Indiana for the passage of a law which will afford adequate protection to the insectivorous native birds of the State, and at the same time provide for the scientific and economic investigation of the same, and that we commend the work of the Indiana Academy of Science looking toward the accomplishment of this result.

(2) *Be it Resolved*, That we express our appreciation of the present Institute, and of the system of Farmers' Institutes provided by the Legislature, and that we memorialize the Legislature of this State for the continuance of the present system, with provisions for its administration in such a manner as to give the best results.

JOHN S. MARTIN,
President.

JOHN C. SHIRK,
Secretary.

Referred to Committee on Agriculture.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 215, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 181, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 3, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 1, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Engrossed House Bill No. 181, entitled:

A bill for an act to legalize the acts of the several Boards of Trustees of the town of Fowler, Benton County, Indiana, and all other officers thereof, and all the ordinances and by-laws now existing and passed by said Boards, and to establish and legalize the surveys, platting, laying out and incorporating of said town, and legalizing the assessments, collections and levying of all taxes by said Board of Trustees, and declaring an emergency.

Read a first time.

On motion of Senator Grose, Engrossed House Bill No. 181 was laid on the table.

Engrossed House Bill No. 215, entitled :

• An act to legalize the incorporation of the city of Hammond, and all the acts and ordinances of said City Council :

WHEREAS, Some doubts have arisen of the legality of the incorporation of the city of Hammond, in Lake County, and of the acts and ordinances of the Council of said city; and,

WHEREAS, Such doubts render it difficult to collect just assessments for street improvements and sewers accrued under and by these acts and ordinances.

Read the first time.

Senator Kopelke moved that the Constitutional Rule be suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Francis, French, Fulk, Gilman, Griffith, Hanley, Harlan, Hobson, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 37.

Those voting in the negative were :

Senators Akin, Burke, Grose, Morgan, Moore, Smith and Thompson of Huntington and Wells. Total, 7.

So the rule was suspended, and the bill was read a second time by title and a third time by sections.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Francis, French, Fulk, Gilman, Griffith,

Grimes, Hanley, Hayden, Hays, Hobson, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 40.

Those voting in the negative were :

Senators Akin, Burke, Grose, Harlan, Morgan, Smith and Thompson of Huntington and Wells. Total, 7.

So the bill passed.

The title to the bill was adopted as the title to the act.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, January 16, 1891. }

To the Senate and House of Representatives :

James Murdock, Warden of the State Prison North, has declined and refused to pay into the Treasury of the State, cash balance in hand, as Warden, under section 6141 R. S., 1881, that is to say, cash balance due the State November, 1889, \$22,667.62, and October 31, 1890, \$17,916.53, and still, although demanded, refuses to pay the same. I am informed that said Warden has for years past, sold and unlawfully converted to his own use, the slops of said prison, amounting to a large sum of money. I respectfully request that a special non-partisan committee of the Senate and House of Representatives be appointed, with a competent and skilled expert to visit said prison and fully examine the accounts, contracts, expenditures, receipts and reports of said James Murdock, as Warden of said Prison, during the term for which he has held the office of Warden of said prison, and report the same at the present session of the Legislature, with the value of any property unlawfully used by the said Warden.

ALVIN P. HOVEY,
Governor.

Senator Shockney offered Concurrent Resolution No. 6, as follows:

WHEREAS, The Governor has, by a message, called the attention of the Legislature to the fact that the Warden of the Northern Prison has failed and refused to cover into the treasury a large sum of money, to-wit: \$22,667.52, as required by section 6141 of the Revised Statutes of the State, and

WHEREAS, The Governor also charges that the Warden is improperly using the slops and refuse of said prison, without paying therefor, and

WHEREAS, The Governor asks for the appointment of a non-partisan committee to investigate the matters to which he calls attention, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That a committee of four selected by the Senate, two by the majority and two by the minority, and a like number to be selected in like manner by the House, to investigate the charges made; that said committee has power to send for persons and papers, to employ a stenographer and make a report to both branches of this body at the earliest possible day.

Senator Shockney moved the adoption of his resolution.

Senator Howard offered the following substitute for Concurrent Resolution No. 6:

MR. PRESIDENT:

I move as a substitute for the resolution of the Senator from Randolph, that the message of the Governor concerning the Warden of the Northern Prison be referred to the Committee on Prisons, with instructions to report upon the same.

And moved its adoption.

Senator Burke offered the following amendment, to-wit:

To add the words: "Together with the reason why the State officers have not taken steps to collect any moneys that may be due the State."

Which amendment was adopted.

The question recurring on the adoption of the the substitute offered by Senator Howard.

The ayes and noes were demanded by Senators Shockney and Boyd.

The roll was called, which resulted as follows: . . .

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson, of Pulaski, White and Carroll and Wiggs. Total, 34.

Those voting in the negative were:

Senators Boyd, Carver, Caster, Clemons, Gilman, Grose, Hanley, Harlan, Hays, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 14.

So the substitute was adopted.

Senator Kennedy was granted leave of absence till next Tuesday.

Senator Griffith was granted leave of absence till Monday.

Senator Griffith, Chairman of Committee on Rules, submitted the following report:

STANDING RULES AND ORDERS

FOR THE

GOVERNMENT OF THE SENATE.

First. The President shall take the chair every day precisely at ten o'clock in the forenoon, and two o'clock in the afternoon, unless the Senate shall, by motion, have adjourned to some other hour appointed by such motion. He shall immediately call the Senators to order, and on the appearance of two-thirds, shall cause the journal of the preceding day to be read.

Second. Twenty-one Senators, with the President, or twenty-two in his absence, having chosen a President *pro tem.*, shall be authorized to call a Senate, compel the attendance of absent Senators, make an order for their fine or censure, and may adjourn.

Third. The President shall preserve order and decorum, may speak to points of order in preference to Senators, rising to his feet for that purpose, and shall decide questions of order, subject to an appeal to the Senate by any two Senators, on which appeal no Senator shall speak more than once, unless by leave of the Senate.

Fourth. The President shall rise to put a question, but may state it sitting.

Fifth. Questions shall be distinctly put in this form, to-wit: As many as are of the opinion that (as the question may be) say "Aye," and, after the affirmative voice is expressed, As many as are of the contrary opinion, say "No." If the President doubts or a division be called for, the Senate shall divide, those in the affirmative of the question shall first arise from their seats, and afterward those in the negative.

Sixth. The President shall have a general direction of the Senate Chamber. The President shall have the right to name any Senator to perform the duties of the Chair, but such substitute shall not extend beyond an adjournment.

Seventh. The President shall, when the Senate is equally divided, give the casting vote.

Eighth. Thirty-six standing committees, not to exceed seven members each, except as herein otherwise stated shall be appointed by the Senate, at the commencement of each session, viz:

1. On Elections.
2. On Finance.
3. On Judiciary.
4. On Organization of Courts.
5. On Education.
6. On Corporations.
7. On Roads.

8. On Benevolent and Reformatory Institutions.
9. On Agriculture.
10. On Banks.
11. On Public Printing.
12. On Public Buildings and State Library.
13. On State Prisons.
14. On Swamp lands and Drains.
15. On Fees and Salaries, to consist of one Senator from each Congressional District.
16. On Claims and Expenditures.
17. On Military Affairs.
18. On Phraseology, Arrangement of Bills and Unfinished Business.
19. On Federal Relations, and Rights and Privileges of the Inhabitants of the State.
20. On Temperance.
21. On County and Township Business.
22. On Public Health, Vital and Other Statistics.
23. On Insurance.
24. On Railroads.
25. On Mines, Mining and Manufactures.
26. On Congressional Apportionment, to consist of one member from each Congressional District.
27. On Legislative Apportionment, to consist of one member from each Congressional District.
28. On the Supervision and Inspection of the Journal of the Senate.
29. On Executive Appointments.
30. On Cities.
31. On Labor and Labor Statistics.
32. On Rules.
33. On Natural Gas Legislation.

34. On Constitutional Revision.

35. On World's Fair or Columbian Exposition.

36. On the Affairs of the City of Indianapolis.

Ninth. It shall be the duty of the Committee on Elections to examine and report upon the certificates and other credentials of the Senators returned to serve in the Senate, and take into consideration all petitions, documents and evidence relating to elections which may be referred to them by the Senate; and each of the other committees shall perform such services and take into consideration all subjects and matters required of them by the Senate. The Committee on Elections shall have leave to report at any time on the right of a member to his seat by presenting their report to the Senate or by filing the same with the Secretary thereof; and the report of such committee shall be a question of the highest privilege, and may be called up at any time by the Chairman of the Committee on Elections or any member thereof; and, when called up, the action of the Senate and all proceedings thereon shall be the same as if said report had been called up as provided in Rule 10.

Tenth. As soon as the Journal shall have been read and approved, or the reading dispensed with, any member may call up for consideration any contest which may have been reported by said committee, or a majority thereof, and such contest shall be pending before the Senate when so called up, and shall be entitled to hold the floor after calling up the contest, and address the Senate thereon for one hour, unless the previous question shall be sooner ordered.

Eleventh. No committee shall sit during the sitting of the Senate without special leave.

Twelfth. All questions relating to the priority of business shall be decided without debate.

Thirteenth. When any Senator is about to speak in debate, or deliver any matter to the Senate, he shall rise from his seat, respectfully address himself to the question under debate, and avoid personality. No Senator shall impeach the motives of any other Senator's vote or argument.

Fourteenth. If any Senator, in speaking or otherwise, transgress the rules of the Senate, the President shall, or any Senator may, call him to order, in which case the Senator so called to order shall immediately sit down, unless permitted to explain, and the Senate shall, if appealed to by such Senator, decide the case, but without debate. If there be no appeal by such Senator, the decision of the Chair shall be submitted to. If the decision be in favor of the Senator called to order, he shall be at liberty to proceed. If otherwise the case require it, he shall be liable to censure of the Senate.

Fifteenth. When two or more Senators happen to rise at once, the President shall name who is to speak first, subject, however, to the right to appeal, by either of such Senators, to the Senate.

Sixteenth. No Senator shall speak more than twice on the same question, without leave of the Senate, nor more than once until every member choosing to speak shall have spoken.

Seventeenth. While the President is putting the question, or addressing the Senate, no Senator shall walk across or out of the house, nor when a Senator is speaking shall any entertain private discourse or pass between him and the Chair.

Eighteenth. No Senator shall be compelled to vote on any question in the event of which he is immediately and particularly interested, or in any case where he was not present when the question was put, but appearing afterward, he may, by permission, have his name called and vote, provided his vote does not change the result.

Nineteenth. Upon a division and count of the Senate on any question, no Senator without the bar should be counted.

Twentieth. Every Senator who shall be in the house when the question is put shall give his vote, unless the Senate, for special reasons, excuse him; but the question of excusing a Senator shall be decided summarily without debate.

Twenty-first. When a motion is made and seconded, it shall be stated by the President; or being in writing, it shall be handed to the Secretary and then read aloud before debated.

Twenty-second. Every motion shall be reduced to writing, if the President or any Senator desire it, indorsed by the Senator introducing it, and the name of the author announced by the Secretary before reading.

Twenty-third. After a motion is stated by the President, and read, it shall be deemed in the possession of the Senate, but may be withdrawn at any time before decision or amendment by consent of the Senate.

Twenty-fourth. When a question is under debate no motion shall be received, but—

1. To take up or receive the report of the Committee on Elections.
2. To adjourn.
3. To lie on the table.
4. For the previous question.
5. To postpone indefinitely.
6. To postpone to a day certain.
7. To commit; or
8. To amend.

Which several motions shall have precedence in the order in which they stand arranged.

Twenty-fifth. When a question is postponed indefinitely, the same shall not be acted upon during the session.

Twenty-sixth. The previous question shall be put in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the Senators voting, and until it is decided shall preclude all debate, and the introduction of all further amendments. The main question shall be the first question in order, and its effect shall be to put an end to all debate, and bring the Senate to a direct vote on the subsidiary questions then pending, in their order, and then on the main question. And when operating under the previous question it shall have the effect to cut off all debate and explanation of votes.

Twenty-seventh. Motions and reports may be committed at the pleasure of the Senate.

Twenty-eighth. Any member may call for the division of a question where the sense will admit of it.

Twenty-ninth. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Thirtieth. When a motion has once been made and carried in the affirmative or negative, it shall be in order for any Senator of the majority to move a reconsideration thereof, on the same or any other day during the session, and when made after the second day, it shall lie over one day before being acted upon.

Thirty-first. When the reading of a paper is called for, if any objection is made, it shall be decided by a vote of the Senate.

Thirty-second. The unfinished business in which the Senate was engaged at the last preceding adjournment shall have the preference in the orders of the day, and no motion or any other business shall be received without special leave of the Senate until the former is disposed of except as provided in rules 9 and 10.

Thirty-third. If a question pending be lost by adjournment of the Senate, and revived on the succeeding day, no Senator who shall have spoken twice on the preceding day shall be permitted again to speak without leave.

Thirty-fourth. Petitions, memorials and other papers addressed to the Senate, may be presented by the President or by any Senator.

Thirty-fifth. A motion to adjourn shall always be in order, except when the previous question is pending, and shall be decided without debate. The question pending on adjournment shall be resumed on reassembling, unless otherwise ordered by the Senate.

Thirty-sixth. It shall be in order for the Chairman of the Committee on Phraseology, Arrangement and Enrollment of Bills to report at any time when no question is before the Senate.

Thirty-seventh. Every bill shall be introduced by motion on leave, or by order of the Senate.

Thirty-eighth. Every bill shall receive three several readings in the Senate previous to its passage, and all bills shall be dispatched as they were introduced, unless in case of urgency.

Thirty-ninth. The first reading of a bill shall be for information, and if opposition be made to it, the question shall be: "Shall the bill be rejected?" If no opposition be made, or the question to reject is negatived, the bill shall then, if no motion be made to the contrary, be committed to a regular or select committee or to a committee of the whole Senate. If the bill be referred to a committee of the whole Senate, the Senate shall determine on what day it shall be considered.

Fortieth. A committee to whom a bill shall be referred may report thereon with or without amendments; and the bill, when returned, if this be on a day subsequent to its first reading, shall be on its second reading, and after it has been read the report of the committee shall be read; the question shall then be on concurring in the report of the committee either with or without amendments; the President shall then state that the bill is ready for amendment or engrossment.

Forty-first. Every report of a committee upon a bill, which shall not be considered at the time of making the same, or laid on the table by a vote of the Senate, shall stand upon the general orders with a bill and entered on the journal.

Forty-second. After commitment and report thereof to the Senate, or at any time before its passage, a bill may be recommitted.

Forty-third. No amendment, by way of a rider, shall be received to a bill on its third reading.

Forty-fourth. When a bill shall pass, it shall be certified by the Secretary, noting at the foot thereof the day of its passage.

Forty-fifth. In forming a Committee of the Whole Senate, the President, leaving the chair, shall appoint a Chairman to preside.

Forty-sixth. Upon bills committed to a Committee of the Whole Senate the bill shall first be read throughout by the Secretary, and then again read and debated by clauses, leaving the preamble

to be last considered. The body of the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Secretary on a separate paper, as the same shall be agreed to by the Committee, and so reported to the Senate; after report, the bill shall again be subject to be debated and amended by clauses before a question to engross it be taken.

Forty-seventh. All questions, whether in committee or in the Senate, shall be put in the order in which they are moved, except that in filling up blanks, the largest sum and the longest time shall be put first.

Forty-eighth. No motion or proposition for a tax or charge upon the people shall be discussed the day on which it is made or offered, and every such proposition shall receive its first discussion in a Committee of the Whole Senate.

Forty-ninth. The rules of the proceedings in the Senate shall be observed in a committee of the whole Senate, so far as they may be applicable, except the rule limiting the time of speaking, but no Senator shall speak twice to any question until every Senator, choosing to speak, shall have spoken.

Fiftieth. No Senator shall absent himself from the service of the Senate unless he have leave of the Senate.

Fifty-first. Each officer of the Senate shall take an oath for the true and faithful discharge of the duties of his office to the best of his knowledge and abilities, and shall be deemed to continue in office until another is chosen.

Fifty-second. It shall be the duty of the Doorkeeper to attend the Senate during its sittings, execute all its demands and process to him given and directed, give notice of and carry all messages, either public or private, he may be required to carry, keep the Senate Chamber and furniture clean and in due order, and at all times keep good and sufficient fires when the same may be necessary. When requested to call a Senator he shall do so by name, and shall exclude from the floor of the Senate Chamber all persons except the President and officers of the Senate and Senators, and shall exclude from the cloak-room of the Senate all persons except the President of the Senate,

Senators, or persons having business with either, and admitted by them, and such persons shall remain only so long as they shall be engaged in such business.

Fifty-third. When a reference is made of any subject to a standing committee, the Senator introducing the same shall be a member of such committee during its deliberation thereon, but shall have no power to vote.

Fifty-fourth. The daily order of transacting business shall be as follows, viz :

1. Reading and correcting the Journal of the preceding day.
2. Reports from Chairman of Committee on Elections.
3. Reports from other standing committees.
4. Introduction of petitions, memorials and remonstrances.
5. Reports from select committees.
6. Resolutions of the Senate.
7. Joint resolutions, joint resolutions of the House.
8. Bills.
9. Orders of the day—

First. Messages from the House requiring action on the part of the Senate.

Second. Bills on second reading.

Third. Bills on third reading; bills of the House on first reading; bills of the House on second reading; bills of the House on third reading: *Provided*, That on Wednesday of each week the daily order of transacting business shall be as follows, viz.:

1. Reading and correcting the journal of the preceding day.
2. Report from Chairman of Committee on Elections.
3. Bills on third reading; bills of the House on first reading; bills of the House on second reading; bills of the House on third reading, and to continue from day to day until that order of business be exhausted.
4. Bills on second reading.
5. Messages from the House requiring action upon the part of the Senate.

6. Introduction of petitions, memorials and remonstrances.
7. Reports from Standing Committees.
8. Reports from select committees.
9. Resolutions.
10. Joint resolutions.
11. Bills.

This order of business shall be suspended only upon a majority vote of the Senators present.

Fifty-fifth. After a bill has passed, and not before, the title may be adopted.

Fifty-sixth. When a bill or joint resolution shall have failed for want of a constitutional majority, but shall have received the vote of the majority of the members present, it shall be subject to be called up in its order, at the instance of any Senator on any subsequent day, but when it shall have failed to receive the votes of a majority of the members present, it shall only be again called up by a motion to reconsider the previous vote.

Fifty-seventh. No smoking shall be allowed in the Senate Chamber before, during or after the sittings thereof.

Fifty-eighth. The report of committees on conference for the adjustment of differences between the two Houses shall be laid over one day before action thereon, unless a majority of the members of the Senate present shall otherwise order.

Fifty-ninth. Whenever a bill is reported by a committee with the recommendation that it pass, one hundred copies of said bill shall be forthwith printed, and two copies laid on the desk of each Senator, and no bill shall be read a second time until one day after such distribution, unless the Senate otherwise order. Whenever any such committee report in favor of the passage of a bill with amendments, said bill shall be printed as amended.

Sixtieth. Hereafter when the introduction of bills is in order, the list of Senators shall be called alphabetically, and each Senator when his name is called shall be permitted to introduce but two bills each time his name is so called, and the name of no Senator shall be called a second time until the entire list has been called.

Sixty-first. All proposed amendments to the rules shall be referred to the Committee on Rules without debate, and said committee shall have the right to report at any time, and may at any time report any change in the rules, and any such report shall be immediately disposed of, and such change in the rules shall be determined by a majority of the Senators present.

Sixty-second. The Journal of the Senate shall be kept in due form by the Assistant Secretary of the Senate, and his signature shall attest the same.

Sixty-third. Any bill or resolution not indorsed on the back thereof with the name of the Senator offering the same shall be regarded as out of order.

It shall be the duty of the Principal Secretary to indorse, over his signature, the number, in their order, of each bill and resolution and the date when offered; and it shall be the further duty of the Secretary to keep all bills and resolutions on file in regular order, and for the purpose of carrying out the provisions of this rule the Secretary shall appoint a competent and efficient clerk, and assign to him the duties herein required of the Secretary.

Sixty-fourth. Decorum and debate :

1. When any member desires to speak or deliver any matter to the Senate he shall rise from his seat and respectfully address himself to the President, and, on being recognized, may address the Senate from any place on the floor, or from the Secretary's desk, and shall confine himself to the question under debate, avoiding personality.

2. No member shall occupy more than one half hour in debate on any question in the Senate or in committee, except as further provided in this rule.

3. The member reporting the measure under consideration from a committee may open and close, where general debate has been had thereon; and if it shall extend beyond one day he shall be entitled to one-half hour to close, notwithstanding he may have used an hour in opening.

4. If any member, in speaking or otherwise, transgress the rules of the Senate, the President shall, or any member may, call him to order, in which case he shall immediately

sit down, unless permitted, on motion of another member, to explain, and the Senate shall, if appealed to, decide on the case, without debate; if the decision is in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and, if the case require it, he shall be liable to censure or such punishment as the Senate may deem proper.

5. If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Secretary's desk and read aloud to the Senate at the time, but he shall not be held to answer nor be subject to the censure of the Senate therefor if further debate or other business has intervened.

6. No member shall speak more than once to the same question without leave of the Senate, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

On motion of Senator Burke the Senate adjourned.

FRIDAY AFTERNOON.

JANUARY 16, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

Senator Gilman offered the following resolution and moved its adoption:

Resolved, That the Doorkeeper of the Senate provide a bulletin-board to be placed in the cloak-room of the Senate, upon which the chairmen of the several Senate committees may post notice of the time and place of committee meetings and matters to be considered at such meeting.

The resolution was adopted.

Senator Magee offered the following resolution and moved its adoption :

Resolved, That the custodian of the State House be authorized to so rearrange the seats in the Senate chamber as to give to the reporters better facilities for hearing and reporting the proceedings of this body.

The resolution was adopted.

Senator Hays offered the following resolution and moved its adoption :

Resolved, That the Auditor of State is requested to report to the Senate whether or not the express companies, telegraph companies and telephone companies doing business in the State have made the reports required by the laws of 1889, and if so, what amount of funds have been paid into the Treasury of the State by such companies, and if such companies have not complied with the premises and the laws in regard to such reports, what steps, if any, have been taken to recover the forfeitures provided for such failure.

The resolution was adopted.

The following message was received from the House:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 1, appropriating \$105,000 to defray the expenses of this General Assembly, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Engrossed House Bill No. 1, entitled :

An act appropriating one hundred and five thousand (\$105,000) dollars to defray the expenses of the regular session of the Fifty-seventh General Assembly of the State of Indiana, and other matters connected therewith, and declaring an emergency.

Read first time and referred to Committee on Finance.

Senator Magee introduced Concurrent Resolution No. 7, as follows:

Resolved by the Senate, the House of Representatives concurring, That a committee of three on the part of the Senate and four on the part of the House, be and is hereby appointed, whose duty it shall be to investigate and inquire into, and upon the conclusion of such investigation and inquiry, to report to the respective Houses the amount, if any, of interest received and retained by the Treasurer of State on public moneys loaned or deposited by him during the four years last past. That said committee on the part of the Senate shall consist of Senators Akin, Smith and Grose.

The resolution was adopted.

Senator Kopelke introduced Senate Bill No. 107, entitled:

A bill for an act fixing the time at which Township Assessors shall return their assessment lists to the County Auditor.

Read first time and referred to Committee on County and Township Business.

Senator French introduced Senate Bill No. 108, entitled:

A bill for an act concerning interest and usury, repealing all laws in conflict therewith and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Ewing introduced Senate Bill No. 109, entitled:

A bill for an act to amend section twenty-six (26) of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881, the same being Section 1927 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

By request, Senator Magee introduced Senate Bill No. 110, entitled:

A bill for an act to amend an act entitled "An act concerning proceedings in criminal cases," approved April 19, 1881.

Read first time and referred to Committee on Judiciary.

Senator Jones introduced Senate Bill No. 111, entitled :

A bill for an act providing for the exemption of homestead and other property from execution, repealing all laws or parts of laws in conflict therewith.

Read first time and referred to Committee on Judiciary.

Senator Kerth was granted leave of absence until 2 o'clock P. M. next Monday.

Senator Grimes was granted leave of absence until 11 o'clock A. M. next Monday.

Senator Foley introduced resolution No. 6, as follows :

Resolved, That the Doorkeeper be and he is hereby authorized to purchase such supplies and fixtures as will be necessary for use in the folding room, wash room and Senate.

Senator Magee moved to amend that the Doorkeeper be required to report to the Senate what supplies are needed.

The amendment carried.

The original motion as amended was adopted.

On motion of Senator Akin the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

SATURDAY MORNING.

JANUARY 17, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant Governor Chase in the chair.

Prayer was offered by Rev. John Branstetter, Representative from Adams, Jay and Blackford.

After the reading of a portion of the Journal, on motion of Senator Hubbell the further reading of the Journal was dispensed with.

The following Senators were granted leave of absence :

Senators Hays and Grose till 2 o'clock P. M., Monday ; Senators Smith and Harlan till Tuesday morning, and Senators Magee, Burke, Morgan, Holcomb and Francis indefinitely.

Senator Hubbell offered the following resolution :

MR. PRESIDENT :

I offer the following resolution and move its adoption :

Resolved, That the Custodian of the State House be and is hereby directed to arrange the desks in the Senate Chamber in the way in which they were arranged on the first day of the session, and that the Doorkeeper be instructed to keep visitors from the west side and south end of this Chamber.

On motion of Senator McHugh the resolution was laid on the table.

The following report of Secretary of State was received :

Hon. Ira J. Chase, President of the Senate:

SIR—In accordance with Senate Resolution just referred to me providing "that the Secretary of State report at once to the Senate what, if any, action was taken by the last General Assembly in reference to the proposed amendments to the constitution of Indiana," I have the honor to report that the only evidence filed in my office bearing upon the subject of

inquiry is contained in the Journals of the proceedings of the House and Senate respectively of the Fifty-sixth General Assembly of Indiana, prepared by the Clerk of the House and Secretary of the Senate respectively, and filed by them in my office some weeks after the adjournment of the said General Assembly.

By examination of said Journals, I find that House Joint Resolutions Nos. 9, 11, 13, 14, 15, 16, 18, 19, 21 and 23, appear to have been adopted in the usual form, and are set forth in said Journals in full.

I find by examination of said Journals that on the last day of the session, to-wit, March 11, 1889, the said resolutions were adopted by the said Senate, and the House duly notified of the passage thereof; that on said day to-wit, March 11, 1889, there appears in the said Journal of the House the following entry :

“Mr. Beasley made the following motion :

“MR. SPEAKER :

“I move that House Joint Resolutions Nos. 9, 11, 13, 14, 15, 16, 19, 21, 23 and 18, proposing amendments to the constitution be ordered enrolled, and that the Principal Clerk of the House be instructed to file said Enrolled Joint Resolutions in the office of the Secretary of State, to be by him presented to the next General Assembly.

“Which motion prevailed.”

House Joint Resolutions Nos. 17, 21, 23, 18, 16, 9, 13, 11, 15 and 14 were ordered enrolled and filed with the Secretary of State, and referred to the next succeeding General Assembly for further consideration.

I have to report that the requirements of the foregoing resolution were never complied with in this: that if the said joint resolutions were enrolled, they were never reported to the Secretary of State; that said resolutions, nor either of them, were ever filed in the office of the Secretary of State in any form whatever, except as they appear in the said House and Senate Journals as aforesaid.

The said joint resolutions never having been enrolled and filed in my office, I am unable to present them to this (the Fifty-seventh) General Assembly.

All of which is respectfully submitted.

CHARLES F. GRIFFIN,
Secretary of State.

January 16, 1891.

Senator Howard moved to refer the report to Committee on Revision of Constitution.

Senator Shockney moved to amend Senator Howard's motion as follows:

That the Clerk of the House of the Fifty-sixth General Assembly be required to report, forthwith; to this Senate what, if anything, he did looking to the compliance with the resolution of the Hon. Representative Beasley on the last day of that session.

The amendment was adopted, and the motion as amended prevailed.

Senator Hayden, of the Committee on Finance, made the following report:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred House Bill Number One (1), have had the same under consideration and recommend that all of said bill be stricken out after the enacting clause and insert in lieu thereof the following, and when so amended the bill do pass:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That one hundred and five thousand dollars be and the same is hereby appropriated to defray the expenses of the present General Assembly: *Provided*, That if any part of the amount thus appropriated shall remain after the expenses of the present Assembly are paid, the amount so remaining shall at once revert to the general fund.

SEC. 2. That it shall be the duty of the Auditor of State to audit the accounts and issue his warrants upon the Treasurer of State for the per diem and mileage of Senators and Representatives as allowed by law, and also such additional allowances

for any necessary traveling expenses incurred in the performance of duty as may be provided for by joint resolution of both houses, upon the certificate in the case of Senators of the President of the Senate, and in the case of the Representatives upon the certificate of the Speaker of the House, setting forth the time served and the amount of mileage and allowances to which such Senators and Representatives may be entitled.

SEC. 3. That it shall be the duty of the Auditor of State to audit the accounts and issue warrants upon the Treasurer of State for the per diem of the officers of the Senate and House of Representatives and their assistants and appointees, including clerks and assistants to committees and janitors appointed by the custodian of the State House under the rules or order of either House, upon the certificate of the presiding officer of either House, setting forth the amounts such officers, clerks, assistants or janitors shall be paid. Where the pay of the officers, clerks and assistants or other employes is now fixed by law, they shall be paid accordingly; where their pay is not fixed by law, but is limited by law, their pay shall not be above the limit; in all other cases their pay shall be as fixed by either or both Houses of the General Assembly: *Provided*, That no pay out of the appropriation hereby made shall be made by resolution passed during the last three days of the session.

SEC. 4. No appropriations having been made for the purpose herein set forth, it is declared that an emergency exists for the immediate taking effect of this act, and therefore the same shall be in full force from and after its passage.

On motion of Senator Hayden, the consideration of the report was made the special order for Monday at 2 p. m.

Senator Byrd moved when the Senate adjourn it shall be until 11 o'clock a. m. Monday.

Senator Smith introduced Senate Bill No. 112, entitled:

A bill for an act to regulate the mode of procuring, transporting and using natural gas, and declaring an emergency.

Read first time and referred to Committee on Natural Gas.

Senator Lynn introduced Senate Bill No. 113, entitled:

A bill for an act to legalize the incorporation of the town of Leavenworth, Crawford County, Indiana, and legalize the election and official acts of the Board of Trustees and other officers of said town, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator John McGregor introduced Senate Bill No. 114, entitled:

A bill for an act to amend section one of an act entitled "an act to amend section one of an act entitled 'an act to amend sections one and two of an act entitled an act appropriating moneys to pay amounts due members of the Indiana Legion and of independent companies of militia and minute men for services rendered under orders of the Governor during the rebellion,'" approved March 5, 1881, and declaring an emergency, approved April 8, 1885, and declaring an emergency, and appropriating moneys to pay members of the Indiana Legion and of independent companies of militia and minute men.

Read first time and referred to Committee on Military Affairs.

Senator Kopelke introduced Senate Bill No. 115, entitled:

A bill for an act legalizing the record and acknowledgment of deeds and mortgages heretofore recorded in any county of this State when the official character of the officer taking the acknowledgments was not certified to, as required by law, and authorizing the record of such deeds and mortgages to be read in evidence, and making such record notice to third persons.

Read first time and referred to Committee on Judiciary.

Senator Howard called up Senate Bill No. 38 for second reading.

The bill was read a second time, with the report of the committee thereon.

The report of the committee was concurred in, and bill was ordered engrossed and to a third reading.

On motion of Senator Hayden the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

MONDAY MORNING.

JANUARY 19, 1891.

Pursuant to adjournment the Senate convened at 11 o'clock A. M., Lieutenant-Governor Chase in the chair.

After the reading of a portion of the Journal, on motion of Senator Mount the further reading of the Journal was dispensed with.

Senator Burke's leave of absence was extended until to-morrow.

Senator Thompson, of Pulaski, White and Carroll, presented the following resolution and moved its adoption :

Resolved, That the members of this body unanimously invite their President to open the Senate by prayer the remainder of the term or invite such assistance as he may desire.

The resolution was adopted unanimously.

Senator Hubbell offered the following resolution :

MR. PRESIDENT :

I offer the following resolution and move its adoption :

Resolved, That the Custodian of the State House be and is hereby directed to arrange the desks in the Senate chamber in

the way in which they were arranged on the first day of this session and that the Doorkeeper be instructed to keep visitors from the west side and south end of this chamber.

Senator Kopelke moved to amend by substituting the phrase "in the same order" for the phrase "in the way."

Which amendment was accepted by Senator Hubbell.

The resolution as amended was adopted.

Senators Ewing and Carver were granted leave of absence indefinitely.

Senator Boyd introduced Senate Bill No. 116, entitled :

A bill for an act to regulate the use of natural gas, to prevent its waste, making provisions for obtaining right of way to lay pipe lines and mains, providing penalties, and declaring an emergency.

Read first time and referred to Committee on Natural Gas.

Senator Chandler introduced Senate Bill No. 117, entitled :

A bill for an act prohibiting the obstruction of ditches or drains, and providing a method of keeping them in repair, and providing a penalty for the violation thereof, and declaring an emergency.

Read first time and referred to Committee on Swamp Lands and Drains.

Senator Byrd introduced Senate Bill No. 118, entitled :

A bill for an act abolishing the office of Mine Inspector in the State of Indiana, establishing the office of Inspector of Mines, providing the manner of appointment to such office, repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Mines and Mining.

Senator Clemans introduced Senate Bill No. 119, entitled :

A bill for an act to prevent the trapping, hunting, shooting or otherwise killing quails.

Read first time and referred to Committee on County and Township Business.

Senator Gilman introduced Senate Bill No. 120, entitled :

A bill for an act providing for fire insurance by the State, fixing compensation in certain cases, and prescribing the duties of certain officials in connection therewith, and the giving and approval of official bonds by such officers.

Read first time and referred to Committee on Insurance.

Senator Hays introduced Senate Bill No. 121, entitled :

A bill for an act to amend Section 67 of an act entitled "An act concerning proceedings in criminal cases," approved April 19, 1881, and being section No. 1640 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Senator Howard introduced Senate Bill No. 122, entitled :

A bill for an act to amend Sections 4, 8 and 10 of "An act concerning powers and duties of cities and incorporated towns and their Common Councils and Boards of Trustees, and providing the mode and manner of making street and alley improvements and building sewers, and providing the mode and manner of enforcing the payment of the costs of street and alley improvements, and building sewers and permitting cities or incorporated towns to issue street and sewer improvement bonds, and repealing all conflicting laws, and declaring an emergency, approved March 8, 1889, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Jackson introduced Senate Bill No. 123, entitled :

A bill for an act in relation to Circuit Courts and the Boards of County Commissioners, providing for the organization of Circuit Courts in each county, the organization of the Boards of County Commissioners, the election of Circuit Judges, Prosecuting Attorneys in certain cases, the payment of the salaries of Circuit Judges and Prosecuting Attorneys, and prescribing certain of their duties.

Read first time and referred to Committee on Organization of Courts.

Senator Kopelke introduced Senate Bill No. 124, entitled :

A bill for an act to amend section 36 of an act entitled "an act concerning highways and supervisors thereof," approved March 2, 1883.

Read first time and referred to Committee on Cities and Towns.

Senator Kopelke introduced Senate Bill No. 125, entitled :

A bill for an act concerning corporations, companies and associations organized and incorporated under the laws of other States or countries.

Read first time and referred to Committee on Corporations.

Senator McHugh introduced Senate Bill No. 126, entitled :

A bill for an act to legalize the incorporation of the Lafayette Union Railway Company, and all similar railroad companies, and making the general railroad law of this State, approved May 11, 1852, and acts amendatory thereof, and supplemental thereto applicable to said Lafayette Union Railway Company and all similar railroad companies, and legalizing the voting of aid to said Lafayette Union Railway Company, and all similar railroad companies, and making all existing laws authorizing the voting of aid to railroad companies for the construction of railroads, applicable to said Lafayette Union Railway Company, and all similar railroad companies, and declaring an emergency.

Read first time and referred to Committee on Railroads.

Senator Mount introduced Senate Bill No. 127, entitled :

A bill for an act to legalize the acts of the Board of Trustees of the town of Michigantown, Clinton County, Indiana.

Read first time and referred to Committee on Corporations.

Senator Shockney introduced Senate Bill No. 128, entitled :

A bill for an act to amend section two hundred and fifty-five (255) of an act entitled, an act concerning proceedings in civil causes, approved April 7, 1881.

Read first time and referred to Committee on Judiciary.

Senator Boyd introduced the following resolution :

WHEREAS, The Constitution of the State of Indiana, in section 190, provides, that the General Assembly shall provide by law for the support of the insane; and,

WHEREAS, The Legislature of 1889, by special act of Legislature, provided that the estate of an insane person be made to pay for the keeping of such person in the Insane Hospitals of the State; and,

WHEREAS, Said statute is causing great complaint among unfortunate persons in the State, and is causing great distress to the wives and children of insane persons; and,

WHEREAS, Such provision is unconstitutional, as well as detrimental to the unfortunate families who have been compelled to send a member of their household to an insane hospital; therefore, be it

Resolved, That the Committee on Judiciary be instructed to prepare a bill, or so modify such act that it will meet with the approbation of the people of the State of Indiana, and do no violence to the Constitution.

Read and referred to Committee on Judiciary.

Senator Wiggs introduced Senate Bill No. 129, entitled :

A bill for an act to amend sections eight and sixteen of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881.

Read first time and referred to Committee on Judiciary.

Senator Hayden introduced Senate Bill No. 130, entitled :

A bill for an act to prevent the destruction of quails and ruffed grouse.

Read first time and referred to Committee on County and Township Business.

Senator Byrd introduced Senate Bill No. 131, entitled :

A bill for an act requiring corporations, companies, associations, firms and persons engaged in mining or manufacturing in this State to pay their employes once every two weeks, in lawful money of the United States; prohibiting the issue or circulation of scrip; regulating the sale of merchandise and supplies by employer to employe, and providing penalties for violation.

Read first time and referred to Committee on Mines and Mining.

Senator Hays introduced Senate Bill No. 132, entitled :

A bill for an act to remove the legal disabilities of married women to make contracts and to repeal all laws in conflict therewith.

Read first time and referred to Committee on Judiciary.

Senator Shockney introduced Senate Bill No. 133, entitled :

A bill for an act to amend Section 7 of an act entitled "an act providing for the appointment of Notaries Public, defining their powers and duties," approved June 4, 1852, being section 5966 of the Revised Statutes of 1881 of Indiana.

Read first time and referred to Committee on Judiciary.

On motion of Senator Gilman House Bill No. 181 was read a second time.

Senator Gilman moved to suspend the constitutional rule requiring bills to be read on three several days in order that the bill might be read a third time.

The question being on the suspension of the rules.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holland, Howard, Hubbell, Jackson, Jones, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 38.

No Senator voting in the negative.

So the constitutional rule was suspended and the bill read the third time.

Senator Hays made the following motion :

I move to refer House Bill No. 181 to a special committee to amend Section 1 by adding the following proviso: "*Provided*, that nothing contained in this act shall affect any pending litigation."

The motion was adopted, and Senator Hays was appointed the committee to make the amendment.

Senator Hays made the following report :

MR. PRESIDENT :

Your special committee, to whom was referred House Bill No. 181, beg leave to report that he has made the amendment as directed by the Senate by adding the words: "*Provided*, That nothing contained in this act shall affect pending litigation."

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Foley, Fulk, Gilman, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kopelke, Loveland, McGregor, McHugh, Moore, Mount,

Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll. Total, 84.

So the bill passed.

It was ordered that the title of the bill stand as the title of the act.

On motion of Senator Shockney Senate Bill No. 73 was read a second time, together with the report of the committee thereon.

The report of the committee was concurred in and the bill was ordered engrossed and to a third reading.

Senator Holland introduced Senate Bill No. 134, entitled :

A bill for an act to amend section 6 of "An act to amend section 10 of an act entitled an act regulating insanity inquests and the committal of insane persons to hospitals for the insane and their discharge therefrom, approved April 14, 1881, and adding supplementary and declaratory sections 24, 25, 26, 27 and 28 thereto, repealing all laws in conflict therewith and declaring an emergency," approved March 11, 1889.

Read first time and referred to Committee on Benevolent Institutions.

On motion of Senator Jones the Senate adjourned.

MONDAY AFTERNOON.

JANUARY 19, 1891.

The Senate convened at 2 o'clock p. m., Lieutenant Governor Chase in the chair.

Senator Magee offered the following resolution :

Resolved, That Tuesday at 2 o'clock p. m. be fixed as the time for the placing in nomination and voting for candidates for the United States Senate.

Senator Foley presented the following requisition of the Doorkeeper:

One lock and two keys for mail sack.
 Two combs and brushes for wash-room.
 One thousand admission tickets.
 One bulletin board.
 One box of chalk.
 Folders and wrapping paper for folding-room.
 Half dozen penholders.
 One dozen Faber's pencils.
 One ream lithographed letter heads.
 One box lithographed envelopes.
 One dozen blotters..
 One box pens.
 One box $\frac{1}{2}$ -inch rubber bands.
 One box $\frac{1}{4}$ -inch rubber bands.
 Two inkstands.
 One box paper fasteners.

O. T. WELLS,
 Doorkeeper of the Senate.

Senator Magee moved to amend that the expenditures be limited to fifteen (15) dollars.

Which amendment was carried.

The report as amended was concurred in.

On motion of Senator Hayden the report of the Finance Committee on House Bill No. 1, was taken up for consideration, the report being the special order for this hour.

House Bill No. 1, together with the report of the Finance Committee thereon, was read a second time.

Senator Magee moved that the report of the Committee on Finance be adopted.

Senator Hays offered the following amendment:

I move to amend Engrossed House Bill No. 1, as amended, by adding to section 3 of said amended bill the following additional proviso:

And provided that no warrant shall be drawn for the payment of any employes whose compensation is not now fixed by law, until the compensation of such employe shall have been fixed by the House in which such person is employed.

Senator Byrd moved to reject the amendment.

The ayes and noes being demanded, the roll was called which resulted as follow:

Those voting in the affirmative were:

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Howard, Hudson, Jones, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 26.

Those voting in the negative were:

Senators Boyd, Caster, Gilman, Grose, Hanley, Hays, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 12.

So the amendment was rejected.

Senator Magee's motion, to adopt the report of the Finance Committee, was adopted.

Senator Magee moved that the Constitutional Rule be suspended, House Bill No. 1 as amended be read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being upon the suspension of the Constitutional Rules.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Grimes, Hanley,

Hayden, Hobson, Howard, Hubbell, Hudson, Jones, Kopelke, Loveland, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 36.

Senator Hays voting in the negative.

So the Constitutional Rule was suspended.

The bill was read a second time by title, the amendments considered engrossed, the bill read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Grimes, Grose, Hayden, Hobson, Holland, Howard, Hubbell, Hudson, Jones, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 37.

No Senator voting in the negative.

The bill passed, and the title to the bill was ordered to stand as the title to the act.

Senator Magee offered the following resolution:

Resolved, That the pay of all of the subordinate clerks under the Principal Secretary and Assistant Secretary, and all Committee Clerks be fixed at \$5 per day, and also that the pay of all other employes and assistants under the Principal Door-keeper of the Senate be fixed at \$5 per day, and that the pay of all Pages be fixed at \$2 per day. The pay of all employes to begin from the dates of their appointment.

The resolution was adopted.

Senator Mount offered Concurrent Senate Resolution No. 8, as follows:

WHEREAS, All trusts and combinations that seek to control arbitrarily the price of any commodity or article of merchandise are conspiracies against public good; and,

WHEREAS, The Dressed Beef Trust is rapidly controlling the price of both cattle and beef, thereby closing out local butchers, and destroying the local markets for the farmers' cattle; therefore,

Resolved by the Senate, the House of Representatives concurring, That our Representatives in Congress are requested, and our Senators instructed to use their efforts to secure the passage of a law that will afford protection against the greed of the Dressed Beef Trust.

And moved its adoption.

Senator Magee offered the following amendment to Concurrent Resolution No. 8:

I move to amend by adding that our Senators and Representatives in Congress be and are hereby instructed to vote for the repeal of the McKinley Bill, that by its passage has created trusts.

The Chair ruled the amendment out of order.

Senator Magee appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate?

The ayes and noes being demanded by Senators Mount and Hobson.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Caster, Clemons, Gilman, Grose, Hanley, Hays, Hobson, Hubbell, Loveland, Mount, Shockney and Yarnan. Total, 18.

Those voting in the negative were:

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard,

Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 29.

So the decision of the Chair was not sustained.

Senator Yaryan moved that Senator Magee's amendment be laid on the table.

The ayes and noes being demanded by Senators Magee and McHugh. The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Casters, Clemans, Gilman, Grose, Hanley, Hays, Hobson, Hubbell, Loveland, Mount, Shockney, Yaryan. Total, 18.

Those voting in the negative were:

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 28.

So the motion to lay the amendment on the table was lost.

The question recurring on the amendment of Senator Magee.

The ayes and noes being demanded by Senators Hobson and Boyd.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 80.

Those voting in the negative were:

Senators Boyd, Gilman, Grose, Hanley, Hays, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 11.

The amendment was adopted.

Senator Shockney demanded a division of the question upon the resolution as amended.

Senator Magee raised the point of order that the question was not divisible.

The Chair did not sustain the point of order.

Senator Byrd appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate?

The ayes and noes being demanded by Senators Byrd and McHugh.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Clemans, Grose, Hanley, Hays, Hobson, Hubbell, Loveland, Mount, Shockney, Yaryan. Total, 11.

Those voting in the negative were:

Senators Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thomson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wigga. Total 28.

So the decision of the Chair was not the decision of the Senate.

Senator Shockney moved to lay Senator Mount's resolution, as amended by Magee's motion, on the table.

The ayes and noes being demanded by Senators Boyd and Hubbell.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Caster, Clemans, Grose, Hanley, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 10.

Those voting in the negative were:

Senators Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Hayden Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee,

Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 28.

So the motion was lost.

Senator Byrd moved the previous question on the adoption of the resolution.

Senator Shockney moved to lay the demand for the previous question on the table.

The ayes and noes being demanded by Senators Boyd and Shockney.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Caster, Clemans, Grose, Hanley, Hays, Hobson, Loveland, Mount, Shockney, Yaryan. Total, 11.

Those voting in the negative were :

Senators Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard, Hubbell, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 29.

So the motion to lay the demand for the previous question on the table was lost.

Senator Hubbell moved to reconsider the vote upon Senator Shockney's motion.

Senator Magee moved to lay the motion to reconsider upon the table.

The ayes and noes being demanded by Senators Boyd and Shockney.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Caster, Clemans, Grose, Hanley, Hays, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 12.

Those voting in the negative were:

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 29.

So the motion did not prevail.

Senator Shockney moved to reconsider the vote on Senator Magee's motion.

The ayes and noes being demanded, the roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Caster, Grose, Hanley, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 10.

Those voting in the negative were:

Senators Akin, Byrd, Chandler, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 28.

So the motion to reconsider was lost.

Senator Hanley moved to adjourn.

The ayes and noes being demanded, the roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Caster, Clemans, Gilman, Grose, Hanley, Hays, Hobson, Hubbell, Loveland, Mount, Shockney, Yaryan. Total, 13.

Those voting in the negative were:

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh,

Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 29.

The motion was lost.

Senator Hays moved to reconsider the vote just taken on motion to adjourn.

The ayes and noes being demanded by Senators Hays and Shockney.

The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Caster, Gilman, Grose, Hanley, Hays, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 12.

Those voting in the negative were :

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 29.

So the motion did not prevail.

The question recurring upon Senator Hubbell's motion to reconsider the motion to lay the demand for the previous question upon the table.

The ayes and noes being demanded by Senators Byrd and Magee.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Gilman, Grose, Hays, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 10.

Those voting in the negative were :

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, MuHugh,

Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 29.

So the motion did not prevail.

Senator Shockney moved to adjourn.

Senator Magee raised the point of order.

The Chair ruled that the motion to adjourn was in order.

Senator Magee appealed from the decision of the Chair.

Senator Hubbell moved to defer the whole proceedings until to-morrow morning at 10 o'clock.

The ayes and noes were demanded by Senators Shockney, Boyd and Loveland.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Caster, Clemans, Gilman, Grose, Hanley, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 12.

Those voting in the negative were:

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 30.

So the motion to defer was lost.

Senator Shockney moved to lay the appeal from the Chair on the table.

The ayes and noes being demanded, the roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Caster, Clemans, Gilman, Grose, Hanley, Hubbell, Loveland, Mount and Shockney. Total, 10.

Those voting in the negative were:

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard,

Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 28.

So the motion was lost.

Senator Hays moved to reconsider the vote on Senator Shockney's motion to lay the appeal upon the table.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Clemans, Gilman, Mount, Shockney and Yaryan. Total, 6.

Those voting in the negative were :

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Howard, Hudson, Jones, Kerth, Kopelke, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 27.

The vote showing that there is no quorum present.

Senator Magee demanded the call of the Senate.

The roll was called, which resulted in showing the following Senators present :

Senators Akin, Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jones, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 41.

Senator Hubbell moved to adjourn.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Gilman, Hanley, Hubbell, Moore. Total, 4.

Those voting in the negative were :

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard,

Hudson, Jones, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 31.

The motion was lost.

Senator Magee demanded the previous question upon the appeal.

The question being, Shall the demand be seconded?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French Fulk, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 29.

Those voting in the negative were:

Senators Boyd, Clemans, Gilman, Hanley, Hays, Hobson, Hubbell, Loveland, Mount and Shockney. Total, 10.

So the demand for the previous question was seconded.

The question being, Shall the main question be now put?

Carried.

The question then being, Shall the decision of the Chair stand as the decision of the Senate?

The ayes and noes being demanded by Senators Magee and McHugh.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Caster, Clemans, Gilman, Hanley, Hays, Hubbell, Loveland, Mount and Shockney. Total, 10.

Those voting in the negative were:

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, Magee,

Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 28.

So the decision of the Chair was not sustained by the Senate.

The question recurring on seconding the demand of Senator Byrd for the previous question on the resolution of Senator Mount as amended by Senator Magee.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 30.

Those voting in the negative were :

Senators Boyd, Grose, Hanley, Shockney. Total, 4.

So the demand for the previous question was seconded.

The question is, Shall the main question be now put?

Which carried.

The question recurring on the adoption of concurrent resolution No. 8, introduced by Senator Mount, and as amended by Senator Magee's motion as hereinbefore set out.

The ayes and noes were demanded by Senators Byrd and Holland.

The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 30.

Those voting in the negative were :

Senators Boyd, Caster, Gilman, Hanley and Shockney.
Total, 5.

So the resolution as amended was adopted.

On motion of Senator Hanley the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PEESANTS,
Assistant Secretary of Senate.

TUESDAY MORNING.

JANUARY 20, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant Governor Chase in the chair.

Prayer was offered by President Chase.

After the reading of a portion of the Journal, on motion of Senator Jones the further reading of the Journal was dispensed with.

Senator Holcomb, Chairman of the Committee on Executive Appointments, made the following report:

MR. PRESIDENT:

Your Committee on Executive Appointments, to whom was referred the message of the Governor nominating Murray Briggs and Isaac H. C. Royse to the office of Board of Trustees State Normal School, beg leave to report that we have had said message under consideration, and recommend that said appointments be confirmed by the Senate.

The report was adopted.

Senator Thompson, of Pulaski, offered the following resolution and moved its adoption :

Resolved, That the Doorkeeper of the Senate be authorized to employ L. A. Simpson (colored) as an assistant for the cloak room.

Senator Boyd offered the following amendment :

MR. PRESIDENT:

I move to amend the resolution by dismissing the assistant doorkeeper and appointing the colored man in his place.

The ayes and noes being demanded by Senators Boyd and Hobson. The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Carver, Caster Clemans, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Shockney, Yaryan. Total, 14.

Those voting in the negative were :

Senators Burke, Byrd, Chandler, Ellison, Ewing, Francis, French, Fulk, Gilman, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 33.

The amendment was lost.

Senator Shockney offered the following amendment :

MR. PRESIDENT:

I move to amend the resolution by authorizing the employment of the gentleman named instead of and to perform the duties now imposed on one Con. Sullivan, now on the force of the Doorkeeper, who has, since his employment, been absent from the State on his own private business.

The ayes and noes being demanded by Senators Shockney and Hays.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Caster, Clemans, Grose, Hanley, Harlan, Hays, Loveland, Mount, Shockney and Yaryan. Total, 11.

Those voting in the negative were :

Senators Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 88.

The amendment was lost.

The question recurring on the adoption of Senator Thompson's (of Pulaski) resolution, and the ayes and noes being demanded by Senators Shockney and Hubbell.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Burke, Byrd, Chandler, Ellison, Foley, Francis, French, Gilman, Griffith, Grimes, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Pulaski, Wiggs. Total, 27.

Those voting in the negative were :

Senators Boyd, Caster, Clemans, Ewing, Fulk, Grose, Hanley, Harlan, Hayden, Hays, Hubbell, Loveland, McGregor, McHugh, Mount, Shockney, Smith, Thompson of Huntington, Yaryan. Total, 19.

The resolution was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 10, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

House Concurrent Resolution No. 10 was read :

Resolved by the House, the Senate concurring, That for the purpose of comparing votes cast in each House for a Senator from the State of Indiana, in the Congress of the United States,

both Houses of this General Assembly meet in joint session in the House of Representatives at 12 o'clock meridian, Wednesday the 21st day of January, 1891.

On motion of Senator Shockney, the resolution was adopted.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by House to inform the Senate that the House has passed House Bill No. 251, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Engrossed House Bill No. 251, entitled :

A bill for an act to legalize the incorporation of the town of Leavenworth, Crawford County, Indiana, and to legalize the election and official acts of the Board of Trustees and other officers of said town, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Griffith, Chairman of Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills would report that they have examined Enrolled Senate Act No. 64, introduced by Senator Holland, and find the same correctly enrolled.

By request, Senator Carver introduced Senate Bill No. 135, entitled :

A bill for an act to extend and regulate the liability of employers to make compensation for personal injuries suffered by workmen in their service, and declaring all contracts waiving the provisions of this act void.

Read first time and referred to Committee on Judiciary.

Senator Ellison introduced Senate Bill No. 136, entitled :

A bill for an act to legalize acts of Deputy Recorders and those acting in the capacity of Deputy Recorders, who were under the age of twenty-one years at the time of such service as deputies in the Recorder's office in the county of Lawrence, in the State of Indiana, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Foley introduced Senate Bill No. 137, entitled :

A bill for an act to amend sections 1 and 11 of an act entitled, an act providing for a Metropolitan Police in all cities of twenty-nine thousand or more inhabitants, and the appointment of a Board of Police Commissioners for such cities, and defining their duties and prescribing their powers; providing for the appointment of officers, patrolmen and other members of the Metropolitan Police force of such cities by such Board, and the manner of paying them for their services, and providing for the abolition of existing Boards of Police and police forces in such cities, and for the abolition of the office of Marshal in such cities, and declaring an emergency. Reconsidered March 5, 1883, and again passed, notwithstanding the objection of the Governor, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Fulk introduced Senate Bill No. 138, entitled :

A bill for an act to amend section three hundred and fifty-six of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881, the same being section five hundred and twenty-one of the Revised Statutes of 1881; and to amend section three of "An act concerning grand and petit juries," approved April 15, 1881, the same being section thirteen hundred and eighty-seven of the Revised Statutes of 1881.

Read first time and referred to Committee on Organization of Courts.

Senator Fulk introduced Senate Bill No. 139, entitled :

A bill for an act for the establishment of work houses in all county seats of this State, the population of which is three thousand and over, providing for the building thereof by the Commissioners of the several counties, the government thereof, and for the working therein of all prisoners who have been convicted of crime punishable by fine, or by fine and imprisonment in the county jail, and all matters properly connected therewith, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Grimes introduced Senate Bill No. 140, entitled :

A bill for an act providing for the docketing of causes appealed to the Supreme Court, and designating the name and style of the parties thereto, and repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Harlan introduced Senate Bill No. 141, entitled :

A bill for an act concerning partition fences between enclosures in cities and towns, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Holland introduced Senate Bill No. 142, entitled :

A bill for an act to repeal section six (6) of an act entitled "An act to amend section ten (10) of an act entitled 'An act regulating insanity inquests and the committal of insane persons to Hospitals for the Insane, and their discharge therefrom.'" Approved April 14, 1881, and adding supplementary and declaratory sections twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), and twenty-eight (28) thereto, repealing all laws in conflict therewith, and declaring an emergency. Approved March 11, 1889.

Read first time and referred to Committee on Benevolent Institutions.

Senator Hudson introduced Senate Bill No. 143, entitled :

A bill for an act for the preservation of the health of females employed in manufacturing, mechanical and mercantile establishments, prescribing a penalty for a violation of the same, and declaring an emergency.

Read first time and referred to Committee on Labor and Labor Statistics.

Senator Kennedy introduced Senate Bill No. 144, entitled :

A bill for an act to amend Section 82 of an act entitled "An act concerning public offenses and their punishment." Approved April 14, 1881, being section 1985 of the Revised Statutes of 1881, and also to amend Section 2 of an act entitled "An act to prohibit the sale, gift or bartering of deadly weapons, or ammunition therefor, to minors." Approved February 27, 1875, the same being section 1987 of the Revised Statutes of 1881, and repealing conflicting laws.

Read first time and referred to Committee on Judiciary.

Senator Kopelke introduced Senate Bill No. 145, entitled :

A bill for an act for the relief of Moses M. Estey.

Read first time and referred to Committee on Claims.

Senator Lynn introduced Senate Bill No. 146, entitled :

A bill for an act to fix the times of holding court in the Third Judicial Circuit of the State of Indiana, prescribing the length of terms therefor, and repealing all laws in conflict therewith.

Read first time and referred to Committee on Organization of Courts.

Senator McHugh introduced Senate Bill No. 147, entitled :

A bill for an act concerning the publication of notices in newspapers in case where the same is now prescribed and provided for by law, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator McHugh introduced Senate Bill No. 148, entitled :

A bill for an act to amend Section 1 of an act entitled "An act to amend an act entitled an act supplemental to an act to authorize aid to the construction of railroads by counties and townships taking stock in and making donations to railroad companies, approved May 12, 1869, approved January 30, 1873," approved March 11, 1875, the same being Section 4069 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Shockney introduced Senate Bill No. 149, entitled :

A bill for an act to authorize and empower Board of Trustees of incorporated towns and Common Councils of incorporated cities to enact and enforce such ordinances within their respective limits as they deem necessary to abate nuisances and protect the public health and comfort, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Shockney introduced Senate Bill No. 150, entitled :

A bill for an act to amend Sections 85 and 89 of an act entitled "An act concerning proceedings in civil causes, approved April 7, 1881."

Read first time and referred to Committee on Organization of Courts.

Senate Bill No. 38 was read the third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Jones, Kennedy, Kerth, Kopelke, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith,

Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 42.

No Senator voting in the affirmative.

So the bill passed.

The title to the bill was adopted as the title to the act.

President Chase announced that he had signed Enrolled Senate Act No. 64.

Engrossed Senate Bill No. 73 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemens, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Kennedy, Kopelke, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 45.

Those voting in the negative were:

Senator French. Total, 1.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 75 was read the third time.

The question being, Shall the bill pass?

Senator Howard offered the following motion:

MR. PRESIDENT:

I move that Senate Bill No. 75 be referred to a select committee consisting of Senators Magee and Thompson of Pulaski,

with instructions to report amendments to said bill by providing the manner in which allotments cleaned by the Township Trustee shall be paid for, and also fixing the order in which such allotments shall be cleaned, and that said bill be made a special order for 2 o'clock to-morrow afternoon.

Which motion was adopted.

On motion of Senator Hayden the Senate adjourned.

TUESDAY AFTERNOON.

JANUARY 20, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

The President of the Senate announced the special order for this hour being the nomination and election of United States Senator to succeed the Hon. D. W. Voorhees whose term expires March 4, 1891.

Nominations being in order, Senator Grimes, of Vigo County, re-nominated the Hon. D. W. Voorhees.

Senator Byrd, of Clay County, arose and seconded the nomination.

Senator Howard, of St. Joseph County, also seconded the nomination.

Senator Boyd, of Hamilton County, placed in nomination the Hon. Alvin P. Hovey.

Senator Hays, of Putnam County, arose and seconded the nomination.

Senator Burke, of Clark County, arose and seconded the nomination of the Hon. D. W. Voorhees.

Senator Hanley, of Warren County, arose and seconded the nomination of the Hon. A. P. Hovey.

Senator Griffith, of Switzerland County, arose and seconded the nomination of the Hon. D. W. Voorhees.

Senator Mount, of Montgomery County, arose and seconded the nomination of the Hon. A. P. Hovey.

Senator McHugh, of Tippecanoe County, arose and seconded the nomination of the Hon. D. W. Voorhees.

Senator Hubbell, of Elkhart County, arose and seconded the nomination of the Hon. A. P. Hovey.

Senator Kopelke, of Lake County, arose and seconded the nomination of the Hon. D. W. Voorhees.

Senator McGregor, of Jefferson County, also seconded the nomination of the Hon. D. W. Voorhees.

Senator Ewing, of Decatur County, also seconded the nomination of the Hon. D. W. Voorhees.

Senator Magee, of Cass County, also seconded the nomination of the Hon. D. W. Voorhees.

Senator Morgan, of Allen County, also seconded the nomination of the Hon. D. W. Voorhees.

The vote was taken, which resulted as follows:

Those voting for Daniel W. Voorhees were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 35.

Those voting for Alvin P. Hovey were:

Senators Boyd, Carver, Caster, Clemons, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 15.

On motion of Senator Byrd the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

WEDNESDAY MORNING.

JANUARY 21, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. J. C. Peters, of the Evangelical Church, Indianapolis.

After the reading of a portion of the Journal, on motion of Senator Akin, the further reading of the Journal was dispensed with.

On motion of Senator Burke, the 3d, 4th and 5th orders of business were suspended for Wednesday.

Senator Hobson was granted leave of absence until 11 o'clock A. M.

Senator Burke offered the following resolution, and moved its adoption :

MR. PRESIDENT :

I offer the following resolution :

Resolved, That the Principal Secretary of the Senate be, and he is hereby instructed to furnish each representative of the press reporting the proceedings of this Senate, a copy of every printed bill.

The resolution was adopted.

Senator Burke, Chairman of the Committee on Judiciary, made the following report on Senate Bill No. 71 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 71, introduced by Senator Mount, beg leave to report the same back with the recommendation that it do pass.

Senator Burke also made the following majority report on Senate Bill No. 37:

MR. PRESIDENT:

A majority of the Committee on Judiciary, to whom was referred Senate Bill No. 37, introduced by Senator Mount, beg leave to report that they have had the same under consideration, and request me to report the same back with the recommendation that it be indefinitely postponed.

Senator Kopelke, of the Committee on Judiciary, offered the following minority report on Senate Bill No. 37:

MR. PRESIDENT:

The undersigned, constituting a minority of the Committee on Judiciary, to whom was referred Senate Bill No. 37, introduced by Senator Mount, beg leave to submit a report recommending that said bill do pass.

J. KOPELKE.

Senator Burke also made the following report on Senate Bill No. 53:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 53, introduced by Senator Kopelke, beg leave to report the same back with the recommendation that it do pass.

Senator Burke also made the following report on Senate Bill No. 67:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 67, introduced by Senator Kopelke, beg leave to report the same back with the recommendation that it do pass.

Senator Burke also made the following report on Senate Bill No. 22:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 22, introduced by Senator Griffith, beg leave to report the same back with the recommendation that it be indefinitely postponed.

On motion of Senator Burke the report of the committee on Senate Bill No. 22 was concurred in.

Senator Burke, from the same committee, also made the following report on Senate Bill No. 83:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 83, introduced by Senator Fulke, have had the same under consideration, and beg leave to report the same back with the recommendation that it be indefinitely postponed.

Report not concurred in.

Senator Shockney moved to lay the bill upon the table until it is printed.

Senator Burke moved to amend the motion of Senator Shockney by having the bill recommitted to the Committee on Agriculture.

Which amendment was lost.

The question recurring upon the motion of Senator Shockney.

The motion was adopted.

Senator Burke, from the same committee, also made the following report on Senate Bill No. 41:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 41, introduced by Senator Thompson, of Huntington, beg leave to report the same back with the recommendation that it be referred to the Committee on Agriculture.

The report of the committee was concurred in.

Senator Burke, from the same committee, also made the following report on Senate Bill No. 48:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 48, introduced by Senator Clemans, beg leave to report the same back with the recommendation that it pass without being printed.

The report of the committee was concurred in, the bill read a second time and ordered engrossed.

Senator Burke, from the same committee, also made the following report on Senate Bill No. 1 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 1, introduced by Senator Griffith, beg leave to report the same back with the recommendation that it do pass.

Senator Burke, from the same committee, also made the following report on Senate Bill No. 82 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 82, introduced by Senator Ewing, beg leave to report the same back with the recommendation that it be indefinitely postponed.

The report of the committee was concurred in.

Senator Burke, from the same committee, also made the following report on Senate Bill No. 29 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 29, introduced by Senator Hubbell, beg leave to report the same back, recommending that it be referred to the Committee on County and Township Business.

The report of the committee was concurred in.

Senator Burke, from the same committee, also made the following report on Senate Bill No. 80 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 80, introduced by Senator Hays, beg leave to report the same back, recommending that it pass without being printed.

The report was concurred in.

The bill was read a second time and ordered engrossed.

Senator Burke, from the same committee, also made the following report on Senate Bill No. 32 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 32, introduced by Senator Kennedy, beg leave to report the same back, with the recommendation that it do pass.

Senator Burke, from the same committee, also made the following report on Senate Bill No. 90 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 90, introduced by Senator Holland, beg leave to report the same back, recommending that it be amended by inserting the words "decision" or "decisions" in lieu of the words "opinion" or "opinions" where the latter occur, and by inserting the words "as provided by the laws of this State" after the words "Indiana Reports," in section 1 ; and when so amended that the bill do pass.

Senator Burke, of the same committee, also offered the following report on Senate Bill No. 88 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 88, introduced by Senator Hays, beg leave to report the same back, with the recommendation that it do pass.

Senator Burke, from the same committee, also offered the following report on Senate Bill No. 6 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 6, introduced by Senator Hubbell, beg leave to report the same back, with the recommendation that it do pass.

Senator Fulk, Chairman of the Committee on Organization of Courts, offered the following report on Senate Bill No. 94 :

MR. PRESIDENT :

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 94, hereby report said bill back to the Senate and request that it be indefinitely postponed.

The report was concurred in.

Senator Fulk, from the same committee, also offered the following report on Senate Bill No. 123:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 123, refer the same back to the Senate, with no recommendation other than that the same be printed.

Senator Fulk, from the same committee, also made the following report on Senate Bill No. 146:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 146, introduced by Senator Lynn, beg leave to report the same back with the recommendation that it shall pass.

On motion of Senator Shockney, the bill was read a second time, and ordered engrossed.

Senator Fulk, from the same committee, also made the following report on Senate Bill No. 28:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 28, introduced by Senator Howard, beg leave to report the same back, with the recommendation that the same be printed, and that a copy of the said bill so printed be laid on the desk of each Senator.

Senator Fulk, from the same committee, also made the following report on Senate Bill No. 150:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 150, introduced by Senator Shockney, beg leave to report same back with the recommendation that it shall pass.

Senator Shanks, Chairman of Committee on Roads, made the following report on Senate Bill No. 45:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 45, introduced by Senator Byrd, recommend the following amendment, to-wit:

By striking out the word "thirty" and insert in lieu thereof the word "fifteen," and when so amended that the bill do pass.

Senator Shanks, from the same committee, also made the following report on Senate Bill No. 78:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 78, introduced by Senator Magee, beg leave to report the same back with the recommendation that it be indefinitely postponed.

Senator Magee moved to amend by having the bill printed and laid upon the Senators' desks.

The amendment prevailed.

The report of the committee as amended was adopted.

Senator Byrd, Chairman of the Committee on Mines and Mining, made the following report:

MR. PRESIDENT:

Your Committee on Mines and Mining, to whom was referred Senate Bill No. 118, introduced by Senator Byrd, beg leave to report the same back with the recommendation that it do pass.

Senator Byrd, from the same committee, also made the following report on Senate Bill No. 131:

MR. PRESIDENT:

Your Committee on Mines and Mining, to whom was referred Senate Bill No. 131, introduced by Senator Byrd, beg leave to report the same back, with the recommendation that it do pass.

Senator Kerth, chairman of the Committee on Cities and Towns, offered the following report on Senate Bill No. 21 :

MR. PRESIDENT :

Your committee to whom was referred Senate Bill No. 21, beg leave to report the same back with the following amendment :

Amend said bill by striking out the words "four thousand" wherever it occurs, and insert in lieu thereof the words "two thousand."

And when so amended that the bill do pass.

Senator Kerth, from the same committee, also offered the following report on Senate Bill No. 50 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 50, introduced by Senator Francis, recommend the following amendment, to-wit :

At page 2, line 4, after the word "shall," insert "apply to the Judge of the Circuit Court of the county to."

And when so amended that the bill do pass.

Senator Kerth, of the same committee, also offered the following report on Senate Bill No. 122 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 122, introduced by Senator Howard, recommend the following amendment, to-wit :

At end of Section 1 add the words: "Or the Council or Board of Trustees may in such case readvertise for bids for said work."

And when so amended that the bill do pass.

Senator Kerth, from the same committee, also offered the following report on Senate Bill No. 113 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 113, introduced by Senator Lynn, beg leave to report the same back with the recommendation that it do pass.

Senator Kerth, from the same committee, also offered the following report on Senate Bill No. 124 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 124, introduced by Senator Kopelke, beg leave to report the same back with the recommendation that it do pass.

Senator McHugh, Chairman of the Committee on Natural Gas, made the following report :

MR. PRESIDENT :

Your Committee on Natural Gas, to whom Senate Bill No. 112, introduced by Senator Smith, was referred, beg leave to report the same back with the recommendation that it do pass.

Senator Shockney introduced Senate Bill No. 151, entitled :

A bill for an act concerning drainage, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Swamp Land and Drainage.

Senator Griffith introduced Senate Bill No. 152, entitled :

A bill for an act providing for the relocation of county seats.

Read first time and referred to Committee on Judiciary.

Senator Moore introduced Senate Bill No. 153, entitled :

A bill for an act to amend section fourteen of an act entitled, "An act concerning the construction and repair of free gravel roads," approved March 3, 1877, being section 5104 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to Committee on Roads.

Senator Ellison introduced Senate Bill No. 154, entitled :

A bill for an act concerning the receipt and disbursement of public money.

Read first time and referred to Committee on Judiciary.

Senator Fulk introduced Senate Bill No. 155, entitled :

A bill for an act to repeal section six and supplemental section twenty-eight of an act entitled an act to amend section ten of an act entitled an act regulating insanity inquests and committal of insane persons to hospitals for the insane, and their discharge therefrom, approved April 14, 1881, and adding supplemental and declaratory sections 24, 25, 26, 27 and 28 thereto, repealing all laws in conflict therewith, and declaring an emergency, approved March 11, 1889.

Read first time and referred to Committee on Benevolent Institutions.

Senator Clemans introduced Senate Bill No. 156, entitled :

A bill for an act to amend section one of an act concerning proceedings in bastardy cases, in force May 6, 1853, the same being section 978 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Senator Mount introduced Senate Bill No. 157, entitled :

A bill for an act to provide for the improvement of drains, ditches or water channels.

Read first time and referred to Committee on Swamp Lands.

By request, Senator McHugh introduced Senate Bill No. 158, entitled :

A bill for an act to provide for the examination and licensing of engineers in charge of steam boilers and pumps in the State of Indiana, and for the appointment of a State Examiner of Engineers and his deputies to carry out the purposes of this act, and prescribing penalties for the violation of its provisions.

Read first time and referred to Committee on Labor and Labor Statistics.

Senator Ewing introduced Senate Bill No. 159, entitled :

A bill for an act to amend sections 1 and 2 of an act entitled an act to provide for the publication of legal advertising in daily newspapers (now required in weekly newspapers) in cities containing 10,000 or more inhabitants; became a law by lapse of time, without Governor's signature, March 11, 1889; and declaring an emergency.

Read first time and referred to Committee on Printing.

The following messages were received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 60, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also the following message :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 85, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also the following message :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 278, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Engrossed House Bill No. 278, entitled :

A bill for an act entitled an act to legalize acts of Notaries Public whose commission had expired, or who failed to subscribe the oath of office or file the bond required by law and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Ewing introduced Senate Bill No. 160, entitled :

A bill for an act fixing the salaries of Judges of the Circuit and Superior Courts and Prosecuting Attorneys, making the same payable out of the treasuries of their respective counties and circuits, providing for the payment of all costs in certain changes of venue, repealing all laws in conflict, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Magee, of the Committee on Joint Rules, made the following report :

MR. PRESIDENT :

The majority of the committee appointed on Joint Rules would respectfully report that they beg leave to recommend the adoption of the joint rules in force in the Fifty-sixth General Assembly as the joint rules of the present General Assembly, with the exception that rule 10 be amended so as to read :

The President of the Senate shall preside at all joint Assemblies.

The report was adopted.

Senator Kennedy presented the following memorial, which was referred to the Committee on Agriculture :

WASHINGTON, DAVIESS COUNTY, INDIANA.

We, the undersigned citizens and tax-payers of Daviess County, in the State of Indiana, submit the following petition to the Honorable Body of Senators and Representatives of the State of Indiana, and ask that the following laws be enacted :

First. That the State and county officers' fees and salaries be reduced at least forty per cent.

Second. That a penalty of \$1,000 fine shall be fixed upon any person or persons who shall brand any article of food as pure when the same shall be found to be adulterated.

Third. That a law be passed that will prevent all trusts, combines, pools, etc., for the purpose of raising or lowering the price of any commodity.

Fourth. We demand such revision of our assessment laws as will require holders of promissory notes and other evidence of credit to be stamped by the Assessor, and a failure to give in, or have such papers stamped by the Assessor shall be a bar to their collection.

Fifth. That the office of Township Trustee be abolished, and that the business now done by the Trustee be done by the County Commissioners and the Directors in each school district.

Sixth. That all land owners who own the land through which creeks and small streams pass, shall be compelled to keep all drifts cleaned out of the channels of the same.

Seventh. That all public printing be let to the lowest bidder.

Eighth. That all mortgaged indebtedness upon homesteads be exempt from taxation.

Adopted unanimously by F. M. B. A. County Assembly of Daviess County, Indiana.

J. C. SHEELEY,
President.

F. M. WALKER,
Secretary.

Senator Howard introduced Senate Bill No. 161, entitled :
A bill for an act to amend section seven (7) of an act entitled "An act providing for the election of Clerks of the Circuit Court, and prescribing some of their duties." Approved June 7, 1852, being section five thousand eight hundred and forty-nine (5849) of the Revised Statutes, 1881, of the State of Indiana.

Read first time and referred to Committee on Organization of Courts.

The Committee on Benevolent Institutions and Senators Grose, Boyd, Jones and Hanley were granted leave of absence for to-morrow.

Senator Byrd moved that when the Senate adjourn it be till 2:30 o'clock P. M.

Carried.

On motion of Senator Magee the Senate took a recess of seven minutes.

The hour of 12 o'clock m. having arrived, the Senate proceeded to the Hall of the House of Representatives.

Lieutenant-Governor Ira J. Chase, President of the Senate, called the Joint Convention to order.

A call of the Senate and House was ordered.

The members of the House of Representatives present and answering to their names when called were :

Messrs. Adams, Ader, Aikman, Baker, Beasley, Beauchamp, Beigler, Bernethy, Bowman, Branstetter, Bròwn of Morgan, Brown of Steuben, Bryant, Callicutt, Calvert, Carroll, Claypool, Cullop, Curtis, Doll, Ebert, Erwin, Farlow, Faulkner, Fippen, Fowler, Fulton, Gent, Gill, Glessner, Gray, Guthrie, Harlan, Harrell, Hay, Heathman, Hench, Hess, Higgins, Hougham, Huffman, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelley, Kern, Kester, Kilgore, Kyle, Latta, Lee, Leyden, Lindemuth, McCloskey, McCullough, McDowell, Mack, Matthews, Moon, Morris of Henry, Morris of Parke, Moss, Niblack, Nolan, Officer, Oldham, Oppenheim, Osborn, Osterman, Parker of Newton and Jasper, Parker of Hendricks, Patton, Peters, Pickhardt, Robbins, Roscoe, Rude, Short, Sleeper, Smith of Owen, Smith of Posey, Stone, Stull, Thienes, Thompson, Timmons, Trimble, Troy, Voigt, Watson, Wells, Whittenberger, Wilson, Work, Wright and Zoercher. Total, 97.

The members of the Senate present and answering to their names when called were :

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Aanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 50.

Thereupon the President of the Joint Convention announced that a quorum of each House was present.

The Journals of the Senate and House of Representatives were read to the joint convention, so far as the same had reference to the vote of the separate Houses, had on yesterday for United States Senator in Congress for the term of six years, commencing on the 4th day of March, 1891.

The Journals showed that Daniel W. Voorhees had received thirty-five (35) votes in the Senate, and seventy-four (74) votes in the House of Representatives, a total of one hundred and nine (109) votes, and that Alvin P. Hovey had received fifteen (15) votes in the Senate and twenty-five (25) votes in the House of Representatives, a total of forty (40) votes. That the whole number of votes cast were 149, that Daniel W. Voorhees received 109 votes, and Alvin P. Hovey received 40 votes.

The President of the Joint Convention thereupon declared that Daniel W. Voorhees, having received a majority of all the votes cast by the two Houses of the General Assembly of the State of Indiana, was duly elected Senator in Congress of the United States, for the term of six years, commencing on the 4th day of March, A. D. 1891.

The business for which the Joint Convention had convened, having been transacted, the Joint Convention, on motion of Senator Byrd, adjourned.

The Senators returned to the Senate Chamber and on motion of Senator Magee the Senate adjourned.

WEDNESDAY AFTERNOON.

JANUARY 21, 1891. .

Pursuant to adjournment the Senate convened at 2:30 o'clock, Lieutenant-Governor in the chair.

There being a special order for this hour, Senator Magee made the following report on Senate Bill No. 75:

MR. PRESIDENT:

Your select committee, to whom was referred Senate Bill No. 75, introduced by Senator Thompson, of Pulaski, with instructions to report certain amendments, would respectfully report the following:

In section one of the engrossed bill, page 2, line 17, after the word "situate," insert the following: "Beginning at the outlet and continuing in order to the source." At the end of the first section insert the following: *Provided*, That parties to whom allotments are made at the head or source of any such ditch or drain may, with the consent of the owners of the land through which such allotments are made, lay tile in such ditch or drain of a size and quality to be appointed by the trustee, making such ditch a covered drain, which tile and covered drain may be continued towards the outlet so far as the parties agree to do so, at the expense of the parties to whom the several allotments are made.

At the end of section 2 add the following as part of said section:

That it shall be the duty of the Township Trustee to give notice of the letting of any allotment which may be uncompleted on the day fixed by the Trustee for the completion of the same by posting in five public places in the township where such allotment is situated, notice of the time and place of such letting, which notice shall be posted at least ten days before such letting. When such Trustee awards any bid, the successful bidder shall be required to give bond in such sum as the Trustee may fix, for the faithful performance of the work. That, in directing any work to be done, as provided in this act, the Trustee shall first require the outlet of the ditch opened

and the work taken up from such outlet to its source, and until such outlet is opened no allotment lying or being above such outlet shall be enforced. That the cost of any allotment shall be and is hereby declared a lien on the land of the owner to whom such allotment is awarded, and shall be entered on the duplicate by the Auditor of the county and collected by the Treasurer of the county as other taxes are now collected. Upon the completion of such work, the Trustee is hereby authorized to issue his warrant for the payment of such work, and such order shall be taken and received by the County Treasurer in payment of any tax assessed against the lands of the holder of such order by reason of the cleaning out and putting in repair such allotment.

And that when the bill is so amended it be re-engrossed and read a third time before passage.

MAGEE, and
THOMPSON of Pulaski,
Special Committee.

On motion of Senator Magee the amendments were adopted.

The bill as amended was ordered engrossed.

Senator Magee introduced Senate Bill No. 162, entitled :

A bill for an act providing for the payment of balance due certain contractors for the equipment of the Eastern and Southern Hospitals for Insane, and declaring an emergency.

Read first time and referred to Committee on Finance.

Senators Harlan and Hays were granted leave of absence for to-morrow.

On motion of Senator Hubbell the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

THURSDAY MORNING.

JANUARY 22, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the Chair.

Prayer was offered by Senator Mount.

After the reading of a portion of the Journal, on motion of Senator Hubbell the further reading of the Journal was dispensed with.

Senator Griffith, of the Joint Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would respectfully report that they have carefully examined Enrolled House Acts numbered 1, 124, 215 and 182, and find the same correctly enrolled.

The President announced that he had signed Enrolled House Bills Nos. 1, 124, 215 and 182.

Senator Griffith, chairman of the Committee on Enrolled Bills, offered the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would respectfully report that they have transmitted and filed with the Governor Enrolled House Acts numbered 1, 124, 215 and 182, this 22d day of January, 1891.

Senator Hudson, chairman of the Committee on Labor and Labor Statistics, made the following report :

MR. PRESIDENT :

Your Committee on Labor and Labor Statistics, to whom was referred Senate Bill No. 143, introduced by Senator Hudson, beg leave to report the same back, with the recommendation that it do pass.

Senator Hudson, from the same committee, also made the following report :

MR. PRESIDENT :

Your Committee on Labor and Labor Statistics, to whom was referred Senate Bill No. 158, introduced by Senator McHugh, beg leave to report the same back, with the recommendation that it do pass.

Senator Thompson, of Pulaski, chairman of the Committee on Public Health, made the following report :

MR. PRESIDENT :

Your Committee on Public Health, to whom was referred Senate Bill No. 30, introduced by Senator Hudson, beg leave to report the same back, with the recommendation that it do pass.

Senator Jackson, chairman of the Committee on County and Township Business, offered the following report on Senate Bill No. 89 :

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred Senate Bill No. 89, introduced by Senator Holcomb, beg leave to report the same back with the recommendation that it do pass.

Senator Jackson, from the same committee, also presented the following report on Senate Bill No. 119 :

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred Senate Bill No. 119, introduced by Senator Clemans, beg leave to report the same back with the recommendation that it do pass.

Senator Jackson, from the same committee, also offered the following report on Senate Bill No. 93 :

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred Senate Bill No. 93, introduced by Senator Kennedy, beg leave to report the same back with the recommendation that it do pass.

Senator Grimes made the following report on Senate Bill No. 134 for Senator Byrd, chairman of Committee on Benevolent Institutions:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to whom was referred Senate Bill No. 134, introduced by Senator Holland, having had the same under consideration, recommend that said bill be indefinitely postponed.

The report was concurred in.

Senator Grimes also made the following report on Senate Bill No. 142, for Senator Byrd, chairman of Committee on Benevolent Institutions:

MR. PRESIDENT:

Your Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 142, introduced by Senator Holland, having had the same under consideration, recommend that the same do pass.

Senator Sweeney, chairman of the Committee on Corporations, made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 127, introduced by Senator Mount, beg leave to report the same back, with the recommendation that the same do pass.

Senator Sweeney, from same committee, also made the following report:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 125, introduced by Senator Kopelke, beg leave to report the same back, with the recommendation that it do pass.

Senator McHugh, chairman of Committee on Natural Gas, made the following report on Senate Bill No. 63:

MR. PRESIDENT:

Your Committee on Natural Gas, to whom was referred Senate Bill No. 63, recommend the following amendments:

Add to the first section, after the words "glass globes," the following: "or lamps." Add to the second section "and the same shall not be lighted between the hours of 8 o'clock A. M. and 5 o'clock P. M.," and that when so amended the bill do pass.

Senator Smith, chairman of Committee on Prisons, made the following report on Senate Bill No. 25:

MR. PRESIDENT:

Your Committee on Prisons, to whom was referred Senate Bill No. 25, introduced by Senator Hobson, beg leave to report that they have had the same under consideration and recommend that it be indefinitely postponed.

The report was concurred in.

Senator Howard presented the following memorial:

We, the undersigned citizens and business men of South Bend, respectfully ask that the State law relating to Metropolitan police and fire department be so amended as to include cities of 20,000 or more population. We make this request in order that the city of South Bend, which has over 22,000 population, may be brought under this law.

EDWIN NICAR,
J. B. STOLL,
And fifty others.

Read first time and referred to Committee on Cities and Towns.

Senator Thompson, of Marion, was granted permission to withdraw the memorial which he presented yesterday.

On motion of Senator Thompson the memorial was stricken from the Journal.

Senator Mount introduced Senate Bill No. 163, entitled:

A bill for an act to prohibit the printing, publishing, circulating, selling and giving away obscene literature, pictures and photographs.

Read first time and referred to Committee on Education.

Senator Shockney introduced Senate Bill No. 164, entitled:

A bill for an act to make uniform the commencement of terms of office of County Clerk, Auditor, Treasurer, Recorder and Sheriff, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Shockney introduced Senate Bill No. 165, entitled:

A bill for an act entitled an act fixing the fees and compensation of County Commissioners, and providing for special sessions of Boards of County Commissioners, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Fees and Salaries.

Senator Yaryan presented the following petition:

RICHMOND, IND., January 15, 1891.

Hon. John Yaryan:

DEAR SIR—Believing that impure reading matter is leading thousands of children into evil ways, the W. C. T. U. have determined to again ask our Legislature to pass a law to prohibit the sale of all impure papers, books and pictures, including stories of crime and criminals. We earnestly desire your co-operation in this work, and a reply at an early day, stating that you approve of and will support such a bill.

Yours respectfully,

MARY W. HILL,

Supt. of the Pure in Literature and Art, W. C. T. U.

We, the undersigned, citizens of Richmond, County of Wayne, respectfully unite in the enclosed request.

LETITIA SMITH,

And Twenty-three Others.

Referred to Committee on Education.

Senate Bill No. 48 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Clemans, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Harlan, Hayden, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Kennedy, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs. Total, 36.

Those voting in the negative were:

Senator Yaryan. Total, 1.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Magee, offered the following resolution:

Resolved, That the President of the Soldiers' and Sailors' Monument Commission be and is hereby directed to at once furnish to the Senate an itemized account of the expenditures made by said commission, giving the names and amounts paid out for incidental expenses, together with the amount expended for construction, design, etc., and the estimated amount required to complete said monument as now designed.

The resolution was adopted.

Senate Bill No. 146 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Clemans, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Harlan, Hayden, Holcomb, Holland, Howard, Hubbell, Hudson, Hays, Jackson,

Kennedy, Kopelke, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Sweeney, Smith, Shockney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 87.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senate Bill No. 127, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senator Mount moved that the constitutional rule be suspended, and that the bill be read a third time and put upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Clemans, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Harlan, Hayden, Hays, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Kennedy, Kopelke, Loveland, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs, and Yaryan. Total, 85.

No Senator voting in the negative.

So the rule was suspended and the bill read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Harlan, Hayden, Hays, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Kennedy, Kopelke, Loveland, McGregor, McHugh, Magee,

Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson, of Pulaski, Wiggs and Yaryan. Total, 38.

No Senator voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Moore introduced the following memorial:

MARTINSVILLE, IND., January 1, 1891.

HON. MR. MOORE:

The Woman's Christian Temperance Union will ask the incoming Legislature to pass a law forbidding the publication, sale or distribution of all impure books and pictures, including stories of crimes and criminals. I write to ask you to give this bill your early attention, and to support it by your vote at the proper time.

An early answer is requested.

MRS. SOPHIA JONES,
Local Supt. of Pure in Literature and Art.

Signed by Mrs. Ella Parks, Pres. Local Union, and 50 others.

Referred to Committee on Education.

On motion of Senator Ewing the Senate adjourned.

THURSDAY AFTERNOON.

JANUARY 22, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the Chair.

Senator Howard offered the following memorial :

Resolved, That the Indiana Society of Civil Engineers, deeming it very important that their grand State should be creditably represented at the coming Columbian Exposition, do recommend that the Legislature now in session apportion at least two hundred thousand dollars for this purpose.

LEWIS S. ALTER,
Chairman of Committee on Columbian Exposition,
WILLIAM M. WHITTEN, South Bend,
PROF. J. NORRIS, Crawfordsville,
Committee.

Read and referred to Committee on World's Columbian Exposition.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, presented following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report that after Senate Act No. 64 was signed by the presiding officers of both Houses of the General Assembly, they transmitted and filed the same with the Governor, this January 22d, 1891.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would respectfully report that they have carefully examined Enrolled House Act No. 181, and Enrolled Senate Act No. 60, and find the same correctly enrolled.

President Chase announced that he had signed Enrolled House Act No. 181, and Enrolled Senate Act No. 60.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would respectfully report that after Enrolled House Act No. 181, and Enrolled Senate Act No. 60, were signed by the proper officers of both Houses of the General Assembly, they transmitted and filed said acts with the Governor, this January 22d, 1891.

The following message was received from the Governor:

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 64, the same being an act fixing the times of holding court in the Sixth Judicial District.

W. B. ROBERTS,
Private Secretary.

Senate Bill No. 80 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Harlan, Hayden, Hays, Holland, Howard, Hubbell, Hudson, Jackson, Kennedy, Kopelke, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 36.

Those voting in the negative were:

Senators Loveland, Thompson of Marion, and Yaryan. Total, 3.

So the bill passed.

The title to the bill was adopted as the title to the act.

Governor Hovey being on the floor of the Senate Chamber, on motion of Senator Burke, the Senate took a recess of fifteen minutes, to give the Senators an opportunity to be presented to the Governor.

Senator Ewing offered the following resolution and moved its adoption:

MR. PRESIDENT:

Resolved, That the following committees be entitled jointly to one clerk, viz.: World's Fair, Natural Gas, State Prisons, Temperance, Public Health, Revision of Constitution, Labor and Labor Statistics, Cities, Roads, Agriculture and Swamp Lands.

Senator Moore moved to amend the resolution by adding the following:

And that L. H. Gamble, a one armed Union Soldier, be appointed to said position.

A point of order being raised, the Chair ruled the amendment out of order.

Leave of absence was granted Senator Magee for the evening.

The question being on the adoption of the resolution offered by Senator Ewing.

The ayes and noes being demanded by Senators Hays and Shockney.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Ewing, Francis, Griffith, Grimes, Holcomb, Howard, Jackson, Kopelke, Lynn, McHugh, Moore, Sweeney, Thompson of Marion, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 16.

Those voting in the negative were:

Senators Boyd, Clemans, French, Fulk, Gilman, Harlan, Hays, Hubbell, Kennedy, Loveland, McGregor, Mount, Shanks, Shockney, and Thompson of Huntington and Wells. Total, 15.

There being no quorum, on motion of Senator Boyd the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

FRIDAY MORNING.

JANUARY 23, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. J. G. Miller, of Columbus, Indiana.

After the reading of a portion of the Journal, on motion of Senator Hubbell, the further reading of the Journal was dispensed with.

Senate Burke, chairman of the Committee on Judiciary, made the following report on Senate Bill No. 98:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 98, introduced by Senator Sweeney, beg leave to report the same back with the recommendation that it be indefinitely postponed.

The bill was ordered to lie on the table.

Senator Burke, chairman of same committee, also made the following report on Senate Bill No. 147:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 147, introduced by Senator McHugh, beg leave to report the same back with the recommendation that the bill do pass.

Senator Burke, chairman of the Committee on Judiciary, also made the following report on Senate Bill No. 108:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 108, introduced by Senator French, beg leave to report the same back, with the recommendation that the bill be indefinitely postponed.

The bill was ordered to lie upon the table.

Senator Burke, chairman of the Committee on Judiciary, also made the following report on Senate Bill No. 133:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 133, introduced by Senator Shockney, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The bill was referred to Senator Shockney as a committee of one to make amendments.

Senator Burke, chairman of the Committee on Judiciary, offered the following report on Senate Bill No. 102:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 102, introduced by Senator Harlan, beg leave to report the same back with the recommendation that the bill be referred to the Committee on Finance.

The report of the committee was concurred in and the bill ordered referred to Committee on Finance.

Senator Burke, chairman from the same committee, also offered the following report on Senate Bill No. 11:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 11, introduced by Senator Shockney, beg leave to report the same back with no recommendation, except that it be printed.

So the bill was ordered printed.

Senator Burke, chairman from the same committee, also offered the following report on Senate Bill No. 95:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 95, introduced by Senator McHugh, beg leave to report the same back, with the recommendation that the bill do pass.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 115:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 115, introduced by Senator Kopelke, beg leave to report the same back, with the recommendation that the bill do pass.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 140:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 140, introduced by Senator Grimes, beg leave to report the same back, with the recommendation that the bill be indefinitely postponed.

The bill was ordered to lie upon the table.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 132:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 132, introduced by Senator Hays, beg leave to report the same back, with the recommendation that the bill do pass.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 121:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 121, introduced by Senator Hays, beg leave to report the same back without any recommendation, except that the bill be printed.

The bill was ordered printed.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 33:

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 33, introduced by Senator Kerth, beg leave to report the same back, with the recommendation that it be referred to the Committee on Fees and Salaries.

The report of the committee was concurred in, and the bill referred to Committee on Fees and Salaries.

Senator Burke, chairman of the Committee on Judiciary, also made the following report on Senate Bill No. 101:

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 101, introduced by Senator Foley, beg leave to report the same back, with the recommendation that the bill be indefinitely postponed.

The report of the committee was concurred in.

Senator Burke, chairman of the Committee on Judiciary, also made the following report on Senate Bill No. 109:

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 109, introduced by Senator Ewing, beg leave to report the same back, with the recommendation that the bill do pass.

Senator Burke, chairman of the Committee on Judiciary, also made the following report on Senate Bill No. 129:

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 129, introduced by Senator Wiggs, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report of the committee was concurred in.

Senator Burke, chairman of the Committee on Judiciary, also made the following report on Senate Bill No. 110 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 110, introduced by Senator Magee, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report of the committee was concurred in.

Senator Burke, chairman of the Committee on Judiciary, made the following report on Senate Bill No. 91 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 91, introduced by Senator Howard, beg leave to report the same back to the Senate with the recommendation that it be referred to the Committee on Swamp Lands.

The report of the committee was concurred in and the bill referred to Committee on Swamp Lands.

Senator Fulk, chairman of the Committee on Organization of Courts, made the following report on Senate Bill No. 161 :

MR. PRESIDENT :

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 161, introduced by Senator Howard, has had the same under consideration, and beg leave to report the same back with clauses Nos. 20 and 21 added to said bill, and recommended that thus amended the same do pass.

The following are clauses Nos. 20 and 21 :

20. *Provided*, That all laws inconsistent or in conflict with this act be and the same are hereby repealed.

21. Whereas, an emergency exists for the immediate taking effect of this act, therefore the same shall be in from and after its passage.

Senator Burke, chairman of the Committee on Judiciary, offered the following report on Senate Bill No. 99 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 99, introduced by Senator Wiggs, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Ordered to lie upon the table.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 144 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 144, introduced by Senator Kennedy, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Ordered to lie upon the table.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 92 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 92, introduced by Senator Hubbell, beg leave to report the same back with the recommendation that the bill do pass.

Senator Burke, chairman of the Committee on Judiciary, also made the following report on Senate Bill No. 87 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 87, introduced by Senator Harlan, beg leave to report the same back with the recommendation that the bill do pass.

Senator Burke, chairman of the Committee on Judiciary, also made the following report on Senate Bill No. 136 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 136, introduced by Senator Ellison, beg leave to report in lieu of said bill a substitute, which is herewith submitted, with the recommendation that it do pass.

The following is the substitute for Senate Bill No. 136:

A bill for an act to legalize the official acts of persons under age acting as deputies to any public officer.

WHEREAS, It has been represented to this General Assembly that persons under age have been at times employed by public officers in this State as deputies and assistants, and have, as such, performed official acts from time to time in the name and place of such public officers; and,

WHEREAS, Such acts were performed in good faith, but have now been questioned; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That all official acts of such persons under age acting in the name and place of such public officers are hereby legalized and made valid to all intents and purposes.

SEC. 2. The provisions of this act shall not apply to any case concerning which litigation is now pending in any court in this State drawing in question the validity of such acts of such persons.

SEC. 3. Whereas an emergency exists for the immediate taking effect of this act, it shall be in force from and after its passage.

The report was concurred in and the substitute ordered printed.

Senator Burke, Chairman of Committee on Judiciary, also made the following report on Senate Bill No. 106:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 106, introduced by Senator Hanley, beg leave to report the same back recommending that the said bill be amended by inserting in section 1 the word "fourteen" in place of the word "sixteen;" by inserting the word "two" in place of the word "five," before the word "years," and by adding to the said section 1 the following: "*Provided*, The passage of this act shall not in any manner affect pending prosecutions of offenses committed prior to the passage hereof." That after the bill has been so amended the committee recommend its passage.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 84:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 84, introduced by Senator Hubbell, beg leave to report the same back, with the recommendation that the bill do pass.

Senator Akin, chairman of the Committee on Agriculture, offered the following report on Senate Bill No. 41:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate Bill No. 41, introduced by Senator Thompson of Huntington and Wells, beg leave to report the same back, with the recommendation that it do pass.

Senator Akin, chairman of the same committee, also offered the following report on Senate Bill No. 61:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate Bill No. 61, introduced by Senator Ewing, beg leave to report the same back, with the recommendation that it do pass.

Senator Howard, chairman of the Committee on Swamp Lands and Drains, made the following report on Senate Bill No. 151:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to whom was referred Senate Bill No. 151, introduced by Senator Shockney, report the same back, with the recommendation that 200 copies of the bill be printed.

The report of the committee was concurred in.

And 200 copies ordered printed.

Senator Holland, chairman of the Committee on Claims and Expenditures, made the following report on Senate Bill No. 100 :

MR. PRESIDENT :

Your Committee on Claims and Expenditures, to whom was referred Senate Bill numbered 100, have had the same under consideration, and beg leave to report that they have examined said bill and the facts concerning the same, and find that on the 8th day of April, 1890, judgment was rendered in the Superior Court of Marion County, by the full Bench of said Court, against the State of Indiana, in favor of Henry Stacey, said cause being numbered 39,414, pursuant to and in accordance with an act of the General Assembly, approved March 5, 1889 ; that said judgment and decree is final, has not been appealed from and is in full force ; that the amount of said judgment and costs in said cause is ten hundred and thirty-nine dollars and eighty cents, and has not in any manner been settled or paid.

Your committee recommends that said bill do pass.

Senator Kopelke, chairman of Committee on Temperance, presented the following report on Senate Bill No. 35 :

MR. PRESIDENT :

Your Committee on Temperance, to whom was referred Senate Bill No. 35, introduced by Senator Loveland, beg leave to report said bill back to the Senate, with the recommendation that the same do pass.

Senator Kopelke, chairman of Committee on Temperance, offered the following majority report on Senate Bill No. 3 :

MR. PRESIDENT :

Your Committee on Temperance, to whom has been referred Senate Bill No. 3, introduced by Senator Harlan, beg leave to report said bill back to the Senate, and recommend that the same be indefinitely postponed.

Senators Carver and Caster, of the Committee on Temperance, offered the following minority report on Senate Bill No. 3:

MR. PRESIDENT:

We, the minority members of the Committee on Temperance, to whom was referred Senate Bill No. 3, introduced by Senator Harlan, beg leave to report that the bill do pass.

Senator Kopelke, chairman of the same committee, also offered the following report on Senate Bill No. 86:

MR. PRESIDENT:

Your Committee on Temperance, to whom was referred Senate Bill No. 86, introduced by Senator Grose, beg leave to report said bill back to the Senate, and recommend that the same be indefinitely postponed.

Ordered to lie on the table and to be printed.

Senator Hudson, chairman of the Committee on Labor and Labor Statistics, made the following report on Senate Bill No. 19:

MR. PRESIDENT:

Your Committee on Labor and Labor Statistics, to whom was referred Senate Bill No. 19, introduced by Senator Foley, report that they have considered the same and the subject matter therein, and beg leave to report back said bill, recommending the following amendments, to-wit:

Strike out all of section 4 preceding the word "the" in line 17 of said section, and insert in lieu thereof the following:

SEC. 4. On the first day of April, eighteen hundred and ninety-one, the Governor shall appoint a State Court of Arbitration and Mediation, to consist of three persons, the first one of whom shall hold his office for a term of three years, the second one for two years, and the third for one year, or until their respective successors are appointed and qualified, and on the first day of April in each year thereafter, the Governor shall in the same manner appoint one member of said Board to succeed the member whose term then expires, and to serve for the term of three years, or until his successor is appointed and qualified.

The first one of said arbitrators shall be selected from a *bona fide* labor organization, of which he shall have been a member in good standing for at least one year; he shall not be an employer of labor.

The second one shall be an employer of labor, or a member of an association of employers of labor.

The third one shall be an agriculturist, and shall be appointed upon the recommendation of the other two: *Provided, however,* That if the two appointed do not agree on the third man at the expiration of thirty days, he shall then be appointed by the Governor.

SEC. 5. Strike out in line 2, after the word "of," the words "three thousand," and insert in lieu thereof the words "one thousand eight hundred;" also strike out after the word "of," in line 5, the word "two," and insert in lieu thereof the word "one."

Add to section 14 after the word "elsewhere" in line 19 the following: "Witnesses summoned before the court shall receive one dollar for each day or fraction of a day's attendance, and shall be allowed five cents a mile for travel each way from their respective places of employment or business to the place where the court is in session. Each witness shall certify in writing the amount of his travel and attendance, and the amount due him shall be paid forthwith by an order of the court entered of record, and an order for the same shall be drawn by any two of the Judges thereof upon the Auditor of State, who shall audit the same and issue his warrant upon the Treasurer of State."

In section 11, line 21, strike out after the word "complaint" all of section 11 and insert in lieu thereof the following: "And should the defendant or defendants summoned fail and refuse to appear and answer, then said defendant or defendants shall suffer default and judgment shall be entered against such defaulting party as upon a confession of judgment, and said court shall forthwith proceed to determine the matters and issues in controversy and enter judgment accordingly."

Amend section 15 by striking out the words "set forth in section 11 of this act," in lines 18 and 19, and insert in lieu thereof the words, "is now provided by law in case of receivers."

And when so amended that the bill do pass.

Senator Chandler offered the following petition:

To the Honorable Members of the Legislature of the State of Indiana:

GENTLEMEN:

We, the undersigned voters and tax-payers of Rush County, Indiana, respectfully and earnestly petition your honorable body to abolish the office of County Superintendent of Schools; to repeal all laws that authorize the people to vote a tax to aid any organization or corporation; to prohibit the giving of money by the State to Colleges, Normal Schools or other systems of higher education or to the State Agricultural Society; to require the affairs of the State and counties to be conducted with the most rigid economy, and that all officers of the State and counties be paid a stipulated salary, the amount of which to be determined by the labor and responsibility of the office.

(Signed,) SYLVESTER HILLIGOSS,
and others.

Referred to Committee on Education.

Senator Chandler offered the following petition:

To the Honored Members of the Legislature of the State of Indiana:

GENTLEMEN:

The Farmers' Club, of Rush County, Indiana, and other voters whose names appear attached hereto, and are of like mind, in said county, respectfully and earnestly petition your honored body to abolish the office of County Superintendent of Schools; to repeal all laws that authorize the people to vote a tax to aid any organization or corporation; to prohibit the giving of money by the State to Colleges, Normal Schools or other systems of higher education, or to the State Agricultural Society; to require the affairs of the State and counties to be conducted with the most rigid economy, and that all officers of the State and counties be paid a stipulated salary, the amount of which to be determined by labor and responsibility of the office.

(Signed,) B. F. MARTIN,
and others.

Referred to Committee on Education without reading.

President Chase laid before the Senate the following report from the Auditor of State:

To the Indiana State Senate:

GENTLEMEN:

The following payments have been made direct to the State treasury by express, telegraph and telephone companies during the past two years, as follows:

May 1, 1889.	Ohio Valley Telephone Co.....	\$7 44
May 1, 1889.	Central Union Telephone Co.....	313 50
July 1, 1889.	Western Union Telegraph Co.....	1,184 57
May 1, 1890.	Central Union Telephone Co.....	1,610 58
Total.....		<u>\$3,181 94</u>

No express companies paid.

In 1890 the corporations failing to pay were reported to the Attorney-General, who collected in July, 1890, as follows:

Western Union Telegraph Co.....	\$2,157 06
American Express Co.....	1,148 46
Adams Express Co.....	1,489 26
United States Express Co.....	629 59
Cumberland Telephone Co.....	138 55
City and Suburban Telephone Co.....	10 80
Chicago Telephone Co.....	2 40
Greensburg Telephone Co.....	28 92
Woodruff Sleeping Car Co.....	459 55
Pullman Sleeping Car Co.....	125 07
Total.....	<u>\$6,184 66</u>

All of which is respectfully submitted.

BRUCE CARR,
Auditor of State.

Referred to Committee on Finance.

Senator Ewing called up as unfinished business his resolution presented yesterday, and offered the following substitute:

Resolved, That Ed Major be appointed clerk of the following committees, viz: World's Fair, Natural Gas, State Prisons, Temperance, Public Health, Revision of Constitution, Labor and Labor Statistics, Cities, Roads, Agriculture, Swamp Lands.

Senator Moore offered the following substitute :

MR. PRESIDENT :

I move as a substitute for the resolution of the Senator from Decatur that L. H. Gamble, a one-armed soldier, be appointed clerk of the committees named in said resolution.

Senator Fulk moved to lay the resolution and substitute upon the table.

The motion did not prevail.

Senator Burke moved the previous question on Senator Moore's substitute.

The question being, Shall the demand for the previous question be seconded?

The ayes and noes being demanded by Senators Hays and Thompson.

The roll was called, which resulted as follows :

Those voting the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hobson, Holcomb, Holland, Howard, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, Thompson of Huntington, and Wiggs. Total, 38.

Those voting in the negative were :

Senators Ewing, Hayden, Hubbell, Hudson, Magee, Shanks, Shockney, Yaryan. Total, 8.

So the Senate seconded the demand for the previous question.

The question now is, Shall the main question be now put?

Which carried.

The question recurring on the adoption of Senator Moore's substitute.

The ayes and noes being demanded by Senators Byrd and Moore.

The roll was called, which resulted as follows :

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hobson, Holcomb, Holland, Howard, Hudson, Kennedy, Kerth, Lynn, Magee, Shockney, Sweeney, Thompson of Marion, Thompson of Pulaski, White and Carroll, and Yaryan. Total, 29.

Those voting in the negative were:

Senators Ewing, French, Hayden, Hays, Hubbell, Jackson, Jones, Loveland, Mount, Smith and Thompson of Huntington and Wells. Total, 11.

So the substitute was adopted.

Senator Akin moved to reconsider the vote on Senator Moore's substitute.

Senator Burke moved to lay the motion to reconsider on the table.

The ayes and noes were demanded by Senators Hays and Shockney.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Caster, Clemans, Ellison, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hobson, Holcomb, Hudson, Holland, Howard, Jones, Kerth, Lynn, Morgan, Moore, Thompson of Marion, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 25.

Those voting in the negative were:

Senators Akin, Carver, Chandler, Ewing, French, Hanley, Hayden, Hays, Hubbell, Kennedy, Loveland, McHugh, Magee, Mount, Shanks, Shockney, Smith, Thompson of Huntington, and Yaryan. Total, 19.

The motion to lay the motion to reconsider upon the table prevailed.

Senator Akin introduced Senate Bill No. 166, entitled :

A bill for an act to authorize incorporated towns within this State to establish work-houses, authorizing the confinement of prisoners therein, and providing for the regulation and management thereof, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Fulk introduced Senate Bill No. 167, entitled :

A bill for an act fixing the term of holding the courts in the Tenth Judicial Circuit, defining the length of such terms, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

Senator Hanley introduced Senate Bill No. 168, entitled :

A bill for an act authorizing and requiring Township Trustees and School Boards of cities and towns in the State of Indiana to purchase and furnish flags for schools under their care and control, and declaring an emergency.

Read first time and referred to Committee on Education.

Senator Hobson introduced Senate Bill No. 169, entitled :

A bill for an act to amend section 4 of an act entitled, "An act to regulate and license the sale of spirituous, vinous and malt and other intoxicating liquors; to limit the license fee to be charged by cities and towns, prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors; to repeal all former laws regulating the sale of intoxicating liquors, and all laws and parts of laws coming in conflict with the provisions of this act; prescribing penalties for the violation thereof, and declaring an emergency." Approved March 17, 1845, being section 5315 of the R. S. 1881, and declaring an emergency.

Read first time and referred to Committee on Temperance.

Senator Hudson introduced Senate Bill No. 170, entitled:

A bill for an act limiting the amount of taxes that may be levied in counties having a voting population of over thirty thousand, as shown by the votes cast for Secretary of State at the last preceding election, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Morgan introduced Senate Bill No. 171, entitled:

An act to amend sections 2 and 4 (sections 3434 and 3436, R. S., 1881) of an act entitled an act for the incorporation of High Schools, Academies, Colleges, Universities, Theological Institutions and Missionary Boards, approved February 28, 1855.

Read first time and referred to Committee on Education.

Senator Mount introduced Senate Bill No. 172, entitled:

A bill for an act entitled "An act to amend an act entitled" an act to amend an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith; and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and supplementary sections thereto, approved March 8, 1873, and to amend an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith; and prescribing the fees for certain officers named therein, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865; to define the duties of certain officers therein named relative to the enumerating or listing and reporting of children of school age as a basis for the apportionment per capita of the school revenues of the State and counties, the apportionment of such revenues thereupon, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed.

Read first time and referred to Committee on Education.

The Committee on Benevolent Institutions and Senators Sweeney, Griffith, Lynn, Francis, Yaryan, Jones, Kopelke and Boyd were granted leave of absence till Monday at 11 o'clock A. M.

Senator Magee moved that when the Senate adjourn this afternoon, it be till Monday, 11 o'clock A. M.

Senator Ewing gave notice that papers of contest in the case of Barnes vs. Loveland had been filed with the Committee on Elections.

Senator Howard moved that 200 additional copies of Senate Bill No. 28 be printed.

Senator Ewing offered the following resolution and moved its adoption :

MR. PRESIDENT:

Resolved, That L. H. Gamble, a one-armed soldier, be appointed mail carrier in the place and stead of the boy now acting, and that he be relieved from his duties as clerk of any committees.

The resolution was adopted.

On motion of Senator Magee, the Senate adjourned.

FRIDAY AFTERNOON.

JANUARY 23, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, January 23, 1891.

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 60, the same being "An act to legalize the incorporation of the town of Pine Village, and the election and qualification of its Board of Trustees and the acts of the same.

Very respectfully,

W. B. ROBERTS,

Private Secretary.

Senator Hubbell offered the following resolution and moved its adoption:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Resolved, That the Committee on Rules be and is hereby instructed to report a rule defining the duties of the Committee on Public Buildings, and to define, for the use of the Senate, the term "public buildings."

The resolution was adopted.

Senator Francis was granted leave of absence on account of sickness.

Senate Bill No. 118, together with the report of the committee thereon, was read a second time, report of committee concurred in, and bill ordered engrossed.

Senate Bill No. 21, together with the report of the committee thereon, was read a second time, report of committee concurred in, and bill ordered engrossed.

Senate Bill No. 88, together with the report of the committee thereon, was read a second time, report of committee concurred in, and bill ordered engrossed.

Senate Bill No. 90, together with the report of the committee thereon, was read a second time, report of committee concurred in, and bill ordered engrossed.

Senate Bill No. 6, together with the report of the committee thereon, was read a second time.

On motion of Senator Magee the further consideration of the bill was made the special order for Tuesday afternoon at 2 P. M., in Committee of the Whole.

Senator Burke was granted leave of absence until Monday.

Senate Bill No. 32, together with the report of the committee thereon, was read a second time, report of committee concurred in, and bill ordered engrossed.

Senate Bill No. 112, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senate Bill No. 71, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 150, together with the report of the committee thereon, was read a second time.

Senator Hays moved to make Senate Bill No. 150 a special order for 2 o'clock Wednesday next.

Which motion carried.

Senate Bill No. 124, together with the report of the committee thereon, was read a second time.

And the report of the committee was concurred in.

And the bill was made a special order for 2:30 o'clock p. m., Monday next.

Senator Foley introduced Senate Bill No. 173, entitled :

A bill for an act concerning mortgages on real property, and declaring an emergency.

Read first time and referred to Committee on Agriculture.

Senator McHugh made the following report for Senator Francis, Chairman of the Committee on Railroads, on Senate Bill No. 126 :

MR. PRESIDENT :

Your Committee on Railroads, to whom was referred Senate Bill No. 126, introduced by Senator McHugh, recommend that the same do pass.

Senator Howard, chairman of the Committee on Swamp Lands and Drains, made the following report on Senate Bill No. 58.

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains to whom was referred Senate Bill No. 58, introduced by Senator Grimes, recommend that the following words be struck out: Beginning with the word "Provided" in line 22 of page 2, and including all down to and including the words "shall be filed, and," and insert in lieu thereof the word "If," and that when so amended that the bill do pass.

Senator Howard, chairman of the Committee on Swamp Lands and Drains, made the following report on Senate Bill No. 104:

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to whom was referred Senate Bill No. 104, introduced by Senator Magee, having recommended that the amendment proposed in said bill be made to Senate Bill No. 58, introduced by Senator Grimes, therefore recommend that said Senate Bill No. 104 be postponed indefinitely.

The report of the committee was concurred in.

Senator Fulk, chairman of Committee on Organization of Courts, also made the following report on Senate Bill No. 167:

MR. PRESIDENT :

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 167, introduced by Senator Fulk, has had same under consideration and have resolved to report it back favorable, with the recommendation that it do pass without being first printed.

Senate Bill No. 181, together with the report of the committee thereon, was read a second time.

Report of the committee was concurred in, and the bill ordered engrossed.

On motion of Senator Hayden, the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

MONDAY MORNING.

JANUARY 26, 1891.

The Senate convened at 11 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Senator Howard.

After the reading of a portion of the Journal, on motion of Senator Boyd the further reading of the same was dispensed with.

Senator Shanks, chairman of the Committee on Roads, made the following report on Senate Bill No. 158:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 158, introduced by Senator Moore, beg leave to report the same back with the recommendation that the bill do pass.

Senator Francis, chairman of the Committee on Railroads, offered the following report on Senate Bill No. 74:

MR. PRESIDENT:

Your Committee on Railroads, to whom was referred Senate Bill No. 74, introduced by Senator Sweeney, beg leave to report the same back with the recommendation that the bill do pass.

Senator Holland presented the following memorial:

Hon. Wm. G. Holland,

Indianapolis, Ind.:

WHEREAS, The present high condition of Indiana schools, their perfect system and wonderful advancement, is largely due to the workings of our present system of intelligent, systematic superintendence and supervision; therefore, be it

Resolved by the teachers at Brookville Institute, That we request the Assembly to take no steps toward changing the office of County Superintendent, unless it be to extend the official term four (4) years, and particularly to oppose any curtailment of official eligibility, or of popular election.

[Signed.]

G. HENRI BOGART,
And twenty others.

Read first time and referred to Committee on Education.

Senator Griffith was granted leave of absence for to-day.

Senator Shockney, from the special committee to make amendments on Senate Bill No. 133, submitted the following report:

MR. PRESIDENT:

Your special committee of one, to whom was referred Senate Bill No. 133, with instructions to amend the same, beg leave to report the following as a substitute therefor:

A bill for an act to amend Section 7 of an act entitled an act providing for the appointment of Notaries Public, and defining their powers and duties, approved June 9, 1852, being Section 5966 of the Revised Statutes of 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That Section 7 of an act entitled "an act providing for the appointment of Notaries Public, and defining their powers and duties, approved June 9, 1852," be amended to read as follows:

Section 7. No person being an officer in any corporation or association, or in any bank, possessed of any banking powers,

shall act as a Notary Public in the business of such bank, corporation or association. No person holding any lucrative office shall be a Notary Public, and his acceptance of any such office shall vacate his appointment as Notary.

The substitute was ordered printed.

Senator Boyd introduced Senate Bill No. 174, entitled :

A bill for an act to amend Section three thousand six hundred and forty of the Revised Statutes of 1881, relating to gravel and other roads.

Read first time and referred to Committee on Roads.

Senator Chandler introduced Senate Bill No 175, entitled :

A bill for an act to amend Section 4 of an act concerning gravel and macadamized roads, approved April 8, 1885, and declaring an emergency.

Read first time and referred to Committee on Roads.

Senator Chandler introduced Senate Bill No. 176, entitled :

A bill for an act to amend Section 19 of an act entitled "an act touching the relation of guardian and ward," approved June 9, 1852, and being designated as Section 2533 of the Revised Statutes of 1881, and to legalize sales made under said section, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Ewing introduced Senate Bill No. 177, entitled :

A bill for an act amending section 65 of an act entitled "An act providing for the settlement and distribution of decedents' estates," approved April 14, 1881 (being section 2289 of the Revised Statutes of 1881), and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Gilman introduced Senate Bill No. 178, entitled :

A bill for an act regulating the admission of visitors to the Hospitals for the Insane, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Senator Hudson introduced Senate Bill No. 179, entitled :

A bill for an act to amend section 5 of an act entitled "An act to provide for the incorporation of street railroad companies," approved June 4, 1881, being section 4147 of the Revised Statutes of 1881.

Read first time and referred to Committee on Corporations.

Senator Shockney introduced Senate Bill No. 180, entitled :

A bill for an act providing for the disposition of surplus moneys in the hands of County Treasurers which has been assessed and collected, for the construction of free gravel roads, and providing an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Shockney introduced Senate Bill No. 181, entitled :

A bill for an act providing for the examination, removal and committal of insane convicts to an asylum for the insane, and declaring an emergency.

Read first time and referred to the Committee on Prisons.

Senator Smith, by request, introduced Senate Bill No. 182, entitled :

A bill for an act to protect domestic animals, to regulate matters connected therewith, to provide for the taxing and registration of dogs, and providing penalty for violation thereof, repealing an act entitled "an act to provide for the taxation of dogs, to regulate matters connected therewith, and providing penalty for the violation of this act," an act by lapse of time March 7, 1888.

Read first time and referred to the Committee on Agriculture.

Senator Boyd introduced Senate Bill No. 183, entitled :

A bill for an act making all free turnpikes built, and toll turnpikes purchased in pursuance of any law of this State by County Commissioners, and lying within the limits of any incorporated city or town of this State, where said turnpikes run through land not platted into city or town property, and are

not used for other than agricultural purposes, or are wholly unimproved, a part and parcel of the free gravel road system of this State, and to be kept in repair in the same manner as other free gravel roads are kept in repair, and declaring an emergency.

Read first time and referred to Committee on Roads.

Senator Ewing introduced Senate Bill No. 184, entitled :

A bill for an act to legalize conveyances made by trustees holding real estate for the benefit of creditors, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Howard, chairman of Committee on Swamp Lands, reported the following substitute for Senate Bill No. 157 :

MR. PRESIDENT :

Your Sub-Committee on Swamp Lands, to whom was referred Senate Bill No. 157, introduced by Senator Mount, have had the same under consideration, and beg leave to report the following bill as a substitute therefor, and ask that the substitute retain the number of said bill, to wit :

A bill for an act to provide for the improvement of drains, ditches or water-courses, providing for the changing, vacating and correcting the surveys thereof, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That when it may be desired to improve, vacate, correct or change the plans or survey of any drain or ditch constructed under any law of this State by changing the same from an open to a tile drain, or *vice versa*, by correcting erroneous surveys or incomplete plans, or by widening, deepening or straightening, or by giving a lateral or shorter outlet, or by vacating a part thereof, any person or persons owning land which has been assessed for the construction of such drain or ditch, or which will be benefited by such change, may file a petition with the Circuit or Superior Court, or other proper authority of the county having original jurisdiction of such work, setting forth specifically the change desired ; such work shall be accomplished under the same proceedings and subject to the

same conditions as are or may, at the time, be provided for the original location, establishment and construction of ditches and drains.

SEC. 2. Whereas an emergency exists for the immediate taking effect of this act, therefore the same shall be force from and after its passage.

THEODORE SHOCKNEY,
Sub Committee.

Senate Bill No. 167, together with the report of the committee thereon, was read a second time.

Senator Fulk moved that the constitutional rule be suspended, and that Senate Bill No. 167 be considered engrossed, read a third time and put upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Caster, Chaudler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Holland Howard, Hubbell, Jackson, Kennedy, Kopelke, Loveland, Lynn, Magee, Moore, Mount, Shanks, Shockney, Thompson of Pulaski. White and Carroll, and Wiggs. Total, 36.

No Senator voting in the negative.

So the constitutional rule was suspended, and the bill was considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Kennedy, Kopelke, Loveland, Lynn, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 40.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senate Bill No. 50, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 89, together with the report of the committee thereon, was read a second time.

Senator Shockney moved to recommit the bill to Committee on Railroads.

Pending the discussion of the motion to recommit, on motion of Senator Burke the Senate adjourned.

MONDAY AFTERNOON.

JANUARY 26, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant Governor Chase in the chair.

The question being on Senator Shockney's motion to recommit Senate Bill No. 89 to Committee on Railroads, the same prevailed.

The special order for this hour being the consideration of Senate Bill No. 124, the bill, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 83, together with the report of the committee thereon, was read a second time, and the report of committee concurred in.

Senator Fulk moved that the bill be engrossed.

The Chair sustained Senator Magee's point of order that the title of the bill is defective.

On motion of Senator Hays the bill was referred to Senator Fulk as a special committee of one to make amendments.

Assistant Secretary Pleasants was granted leave of absence for the afternoon.

Senate Bill No. 122, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senator Hudson called up Senate Bill No. 148, which, together with the report thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senator Kennedy called up Senate Bill No. 98.

The bill, together with the report thereon, was read a second time.

Senator Magee moved that the bill be indefinitely postponed.

The motion was lost.

The question recurring on the adoption of the report of the committee.

The report was concurred in and the bill ordered engrossed.

Senator Kopelke called up Senate Bill No. 58, which, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senator Burke offered the following resolution and moved its adoption :

MR. PRESIDENT :

I offer the following resolution and move its adoption :

Resolved, That the Secretary of the Senate be and is hereby instructed to keep a record of the number and time of distribution of printed bills to the Senate, and that no bills be distributed after the hour of two o'clock P. M.

Senator Howard moved to amend by striking out all that part relating to the hour for distribution.

The amendment did not prevail, and the original resolution was then adopted.

Senator Magee called up Senate Bill No. 78, and moved that it pass to second reading.

The motion was lost.

Senator Ewing called up Senate Bill No. 109, which was read, together with the report of the committee thereon.

The report of the committee was concurred in, and bill ordered engrossed.

Senate Bill No. 109, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 142, together with the report of the committee thereon, was read a second time.

Senator Ewing asked time to prepare an amendment.

Senate Bill No. 63, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Howard offered the following amendment:

MR. PRESIDENT:

I move to strike out the following words in Senate Bill No. 63, in the printed copy, in section 1, line 8, "what are known as Jumbo."

In section 2, line 1, strike out "Jumbo," also, in lines 9 and 10, section 1, strike out all after "globes."

The amendment was lost.

Senator Burke moved that further consideration of the bill be indefinitely postponed.

The motion was lost.

Senator Kopelke offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 63, by striking out section 4—the emergency clause.

The amendment failed of adoption.

The question being, Shall the bill be ordered engrossed?

On motion of Senator Burke the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

TUESDAY MORNING.

JANUARY 27, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. A. B. Charpie, of the Garden Baptist Church, of Indianapolis.

After the reading of a portion of the Journal, on motion of Senator Jones, the further reading of the same was dispensed with.

Senator Morgan was granted indefinite leave of absence.

The Committee on Prisons was granted leave of absence from 11 o'clock A. M. Wednesday, till Friday morning.

Senate Bill No. 63 was taken up as unfinished business.

Senator Shockney offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 63 by striking out the following words:

“WHEREAS, By the discovery of natural gas and its production in such quantities as to render it a prime necessity for use as a fuel and otherwise in the development of trade in this State; and,

“WHEREAS, Nature’s gift of natural gas may be a limited product, which man should appreciate by wise and economic use, and not wasteful extravagance; and,

“WHEREAS, The use of natural gas in cities, towns, public highways and other places for illuminating purposes, in what are known as flambeau lights, is wasteful and is blinding to travelers and passers-by, and dangerous to the public good; therefore.”

The amendment was adopted.

Senator Magee moved to reconsider the vote taken last evening on Senator Kopelke’s amendment, striking out Section 4 (emergency clause) of Senate Bill No. 63.

The motion prevailed.

The question recurring on Senator Kopelke’s amendment, the same was adopted.

On motion of Senator Shockney the bill was ordered engrossed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 11, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

House Concurrent Resolution, No. 11:

WHEREAS, A bill has been introduced into this General Assembly providing for the appropriation of two hundred thousand dollars to make a display of the industries and resources of this State at the World's Fair, to be held at Chicago in 1893; and,

WHEREAS, The measure now pending in the United States Senate, known as the Force Bill, is a revolutionary measure which, if it passes the Senate and becomes a law, will involve the people of the Southern States in a race war, will prostrate the industries of many of the States of the Union, will disrupt the amicable commercial and social relations existing between the North and South; and,

WHEREAS, If said measure shall become a law, and such conditions are thereby brought about, the World's Fair will become a sectional instead of a National affair, will fail to adequately exhibit and display the magnitude and variety of our country's resources, will fall short of the purposes for which it was contemplated, and will bring a stain and reproach upon our whole country; and,

WHEREAS, It is the sense of this General Assembly that no appropriation should be made by the State of Indiana to exhibit her resources at such fair, or in any manner recognize the same unless it can be made in fact, as well as in name, a World's Fair, and can exhibit the magnitude and variety of our whole country's resources and advancement; therefore,

Resolved by the House of Representatives, the Senate concurring, That no further consideration of said appropriation bill be had until the Senate has finally disposed of said force bill, that this assembly may know what is to be the character of the exhibit at said Word's Fair.

On motion of Senator Magee, the consideration of the resolution was made a special order for 2 o'clock this evening, and the consideration of Senate Bill No. 6, which had been set for 2 o'clock was made a special order for 4 o'clock this evening.

Senator Burke moved that the vote on Senate Bill No. 6, making it the special order for 2 o'clock this afternoon, be reconsidered.

Which motion prevailed.

On motion of Senator Burke, Senate Bill No. 6 was recommended to the Committee on Judiciary for further consideration.

Senate Bill No. 45, together with the report of the committee thereon, was read a second time.

Senator Byrd moved that the amendment to Senate Bill No. 45, made by the Committee on Roads, be rejected.

Which motion was lost.

On motion of Senator Byrd the report of the Committee on Roads was concurred in.

Senator Griffith was granted leave of absence for to-day.

Senator Jones offered the following amendment to Senate Bill No. 45:

MR. PRESIDENT:

I move to amend Senate Bill No. 45 by striking out all of line eleven after the word "year" up to and including the word "Treasury" in line twelve.

The amendment failed of adoption.

Senator McGregor offered the following amendment to Senate Bill No. 45:

MR. PRESIDENT:

I move to amend Senate Bill No. 45 as follows, to-wit:

Add to section 1 the following words: "*Provided*, Such Supervisor shall not work less than ten men at a time, with necessary teams, save when making repairs: *Provided*, also, That no person of the age of fifty years be elected to the office of Road Supervisor.

Senator Hanley moved to strike out the proviso in the amendment offered by the Senator from Jefferson to Senate Bill No. 45:

The motion prevailed.

Which defeated Senator McGregor's amendment.

Senator Kopelke moved to amend Senate Bill No. 45 by substituting in line 11 of the bill as printed the words, "two dollars," in place of the words, "one dollar."

On motion of Senator Fulk Senator Kopelke's amendment was laid on the table.

Senator Loveland moved to reconsider the vote on Senator Fulk's motion to lay the amendment on the table.

Which motion prevailed.

On motion of Senator Byrd Senator Kopelke's amendment was rejected, and Senate Bill No. 45, as amended by the Committee on Roads, was ordered engrossed.

Senator Holland called up Senate Bill No. 142 as unfinished business.

The report of the committee was concurred in and the bill ordered engrossed.

Senator Burke, chairman of the Committee on Judiciary, made the following majority report on Senate Bill No. 128:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to whom was referred Senate Bill No. 128, introduced by Senator Shockney, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Senator Hays, from the Committee on Judiciary, made the following minority report on Senate Bill No. 128:

MR. PRESIDENT:

The undersigned, constituting a minority of the Committee on Judiciary, to whom was referred Senate Bill No. 128, introduced by Senator Shockney, beg leave to submit a report on said bill recommending that it do pass.

SILAS A. HAYS,
O. Z. HUBBELL.

Senator Burke moved that the Senate adjourn.

Which motion was lost.

Senator Burke, chairman of the Committee on Judiciary, offered the following report on Senate Bill No. 57:

MR. PRESIDENT:

Your committee on Judiciary, to whom was referred Senate Bill No. 57, introduced by Senator Francis, beg leave to report the same back with the recommendation that the bill do pass.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 79:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 79, introduced by Senator Magee, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

On motion of Senator Magee, the bill was ordered printed.

Senator Burke, chairman of the Committee on Judiciary, also made the following report on Senate Bill No. 103:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 103, introduced by Senator Kopelke, beg leave to report the same back with the recommendation that the bill do pass.

Senator Burke, chairman of the Committee on Judiciary, also made the following report on Senate Bill No. 46:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 46, introduced by Senator Shockney, directs me to report the same back to the Senate with the recommendation that the bill pass.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 34:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 34, introduced by Senator Kopelke, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Report of committee concurred in.

Senator Grimes, chairman of the Committee on Education, made the following report on Senate Bill No. 14:

MR. PRESIDENT:

The Committee on Education, to whom was referred Senate Bill No. 14, introduced by Senator Hobson, do respectfully report that the committee has had the bill under consideration, and do recommend that the bill be indefinitely postponed.

Ordered to lie on the table and order printed.

Senator Grimes, chairman of the Committee on Education, offered the following report on Senate Bill No. 168:

MR. PRESIDENT:

The Committee on Education, to whom was referred Senate Bill No. 168, do respectfully report that they have had the bill under consideration, and do recommend that the bill be indefinitely postponed.

Senator Hayden moved to concur in the report of the committee.

The ayes and noes being demanded.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Chandler, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Jones, Kennedy, Kerth, Kopelke, McGregor, McHugh, Magee, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 27.

Those voting in negative were:

Senators Boyd, Burke, Carver, Caster, Clemans, Gilman, Grose Hanley, Harlan, Hays, Hobson, Howard, Hudson, Loveland, Mount. Total, 15.

So the report of the committee was concurred in.

On motion of Senator Thompson, of Marion, the Senate adjourned.

TUESDAY AFTERNOON.

JANUARY 27, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

The special order for this hour being the consideration of House Concurrent Resolution No. 11, the same was read and the discussion proceeded with.

Senator Howard moved the adoption of House Concurrent Resolution No. 11.

The ayes and noes being demanded by Senators Hays and Hubbell.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Moore, Shauks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 32.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 14.

So the resolution was adopted.

Senator Griffith announced that he was paired on this resolution with Senator Hobson.

President Chase was granted leave of absence from 10 to 11 o'clock to-morrow.

Senators Shockney and Hubbell were granted leave of absence till Friday morning.

On motion of Senator Jones, the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

WEDNESDAY MORNING.

JANUARY 28, 1891.

The Senate convened at 10 o'clock A. M.

Prayer was offered by Rev. Oscar McCulloch, of Plymouth Church, Indianapolis.

After the reading of a portion of the Journal, on motion of Senator Boyd, the further reading of the same was dispensed with.

Engrossed Senate Bill No: 118 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Ellison, Foley, French, Fulk, Gilman, Grimes, Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 37.

Those voting in the negative were:

Senators Grose, Hanley and Harlan. Total, 3.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed Senate Bill No. 45 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Chandler, Clemans, Ellison, Foley French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland,

Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 40.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Gilman called up Senate Bill No. 85, and moved that it be indefinitely postponed.

The motion was adopted.

Engrossed Senate Bill No. 63 was read a third time.

Senator Burke offered the following motion:

MR. PRESIDENT:

I move to refer Engrossed Senate Bill No. 63 to a committee of one, with instructions to strike out all of Section 3 after the words "Two Hundred Dollars."

The motion was adopted.

Senator Harlan was appointed as the committee to make the amendment.

Senator Harlan, as the special committee to whom was referred Senate Bill No. 63, with instructions to make amendments, presented the following report:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 63, report the same back amended as instructed.

The report of the committee was concurred in.

The question being, Shall the bill pass?

The roll was called, resulting as follows:

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 42.

No Senator voting in the negative.

So the bill passed.

Senator Boyd moved to amend the title by striking out the words : " And declaring an emergency."

The motion was carried.

And the title as amended was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 167, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Engrossed Senate Bill No. 88 was read a third time and put upon its passage.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Gilman, Grimes, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Smith, Sweeney,

Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 39.

No Senator voting in the negative.

The title to the bill was adopted as the title to the act.

Senator Gilman and Doorkeeper Wells were granted leave of absence until Friday morning.

Engrossed Senate Bill No. 142 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, resulting as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Gilman, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 39.

Those voting in the negative were:

Senators Loveland and Howard. Total, 2.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 143 was read a third time.

Senator Howard offered the following:

MR. PRESIDENT:

I move to amend Senate Bill No. 143 by referring to a special committee of one, to amend by striking out the word "female," wherever it occurs, and inserting instead thereof the words "women or girls."

Motion adopted.

Senator Howard was appointed a committee of one to make the amendment.

Senator Howard, as the special committee, made the following report :

MR. PRESIDENT :

Your special committee, appointed to amend Senate Bill No. 143 by striking out "females" wherever it occurs in said bill or its title, and substitute instead thereof the words "women or girls," reports that he has performed that duty as directed.

The report of the committee was concurred in.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Moore, Mount, Shanks, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 37.

No Senator voting in the negative.

So the bill, as amended, passed.

The title to the bill as amended was adopted as the title to the act.

Engrossed Senate Bill No. 131 was read a third time.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kerth, Kennedy, Kopelke, Loveland, Lynn, McGregor,

Magee, Moore, Mount, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 85.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 32 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee, Moore, Mount, Shanks, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan, Total, 88.

No Senator voting in the negative.

So the bill passed.

So the title to the bill was adopted as the title to the act.

Engrossed Senate Bill No. 53 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Chandler, Clemans, Ellison, French, Fulk, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee,

Moore, Mount, Shanks, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 86.

No Senators voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 71 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Grimes, Grose, Hanley, Hayden, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McGregor, Magee, Moore, Mount, Shanks, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 86.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

On motion of Senator Burke the order of business was suspended and the roll called for the introduction of bills.

Senator Burke introduced Senate Bill No. 185, entitled :

A bill for an act to amend section twenty-two of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852, being section 2485 of the Revised Statutes of 1881, and section five of an act entitled "An act to amend the 18th, 24th, 25th and 26th sections of an act entitled 'An act regulating descents and the apportionment of estates,' approved May 14, 1852, and adding a supplemental

section to said act, approved March 4, 1858, being section 2488 of the Revised Statutes of 1881, repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Burke also introduced Senate Bill No. 186, entitled :

A bill for an act to amend section 12 of an act entitled "An act to regulate and license the sale of spirituous, vinous and malt, and other intoxicating liquors, to limit the license fee to be charged by cities and towns, prescribing penalties for intoxication and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors, to repeal all former laws regulating the sale of intoxicating liquors and all laws and parts of laws coming in conflict with the provisions of this act, prescribing penalties for the violation thereof, and declaring an emergency," approved March 17, 1875, the same being section 5820 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Senator Boyd introduced Senate Bill No. 187, entitled :

A bill for an act to amend section seven (7) of an act entitled "an act to provide for the appointment and compensation of a custodian of public buildings and property, and providing for the appointment and compensation of a State House engineer, prescribing their duties and fixing their compensation, as well as the compensation of other persons that may be employed by such officers, and other matters connected therewith, and declaring an emergency, approved March 5, 1889.

Read first time and referred to the Committee on Public Buildings.

Senator Boyd introduced Senate Bill No. 188, entitled :

A bill for an act to legalize the acts of the Board of Trustees, and the platting, and the laying out of the town, and all official acts heretofore done by the officers of the town of Fisher's Station, Hamilton County, State of Indiana, and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

Senator Byrd introduced Senate Bill No. 189, entitled :

A bill for an act to divide the State of Indiana into Congressional Districts, and to repeal all laws in conflict therewith.

Read first time and referred to Committee on Congressional Apportionment.

Senator Byrd introduced Senate Bill No. 190, entitled :

A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith.

Read first time and referred to the Committee on Legislative Apportionment.

By request, Senator Chandler introduced Senate Bill No. 191, entitled :

A bill for an act authorizing the Board of Trustees of the Indiana Institution for the Education of the Deaf and Dumb, to sell and convey certain lands now in use by said Institution, and providing for the disposition of the proceeds arising therefrom, and declaring an emergency.

Read first time and referred to the Committee on Benevolent Institutions.

On motion of Senator Foley, Senate Bill No. 19 was referred to the Committee on Judiciary.

Senator Hayden introduced Senate Bill No. 192, entitled :

A bill for an act concerning street railroads and the use of electricity as a motive power thereon, and to secure manufacturers and owners of electrical equipment in making conditional sales and certain contracts for the lease thereof, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hayden introduced Senate Bill No. 193, entitled :

A bill for an act concerning public offenses, and the exercise of police powers by the persons designated therein.

Read first time and referred to the Committee on Judiciary.

Senator Hubbell, by request, introduced Senate Bill No. 194, entitled :

A bill for an act authorizing the appointment of a Commissioner of Savings Banks, Loan and Trust Companies, Insurance Companies and Building, Loan Fund and Saving Associations.

Read first time and referred to Committee on Banks and Banking.

Senator Hudson, by request, introduced Senate Bill No. 195, entitled :

A bill for an act for the relief of Sarah May, widow of Edwin May, and directing payment to her of the indebtedness of the State of Indiana, due to the said Edwin May, and heretofore unpaid for want of funds.

Read first time and referred to Committee on Claims.

Senator Kopelke introduced Senate Bill No. 196, entitled :

A bill for an act to fix and define the effect of acts amending or changing existing statutes.

Read first time and referred to Committee on Judiciary.

Senator Magee, by direction of the Committee on Cities and Towns, introduced Senate Bill No. 197, entitled :

A bill for an act to prevent and punish fraud in sales of goods, wares and merchandise at public or private sale by itinerant venders, and to regulate all such sales, providing for city license, prescribing penalties, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Kerth, chairman of Committee on Cities and Towns, made the following report on Senate Bill No. 197:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 197, introduced by Senator Magee, beg leave to report the same back with the recommendation that the bill do pass.

Senator Magee introduced Senate Bill No. 198, entitled :

. A bill for an act to amend section 1 of an act entitled "An act to amend section 209 of an act entitled an act concerning public offenses and their punishment, approved April 14, 1881, the same being section 2117 of the Revised Statutes of 1881, and declaring an emergency," approved March 5, 1889.

Read first time and referred to Committee on Agriculture.

Senator Mount introduced Senate Bill No. 199, entitled :

A bill for an act to amend section 2201 of the Revised Statutes of Indiana, providing a penalty against false weights and false measurements.

Read first time and referred to Committee on Judiciary.

Senator Thompson, of Marion, introduced Senate Bill No. 200, entitled :

A bill for an act to amend section 6094 of the Revised Statutes of 1881, being section 80 of an act entitled "An act for the relief of the poor," approved June 9, 1854.

Read first time and referred to Committee on Judiciary.

On motion of Senator Jones the Senate adjourned.

WEDNESDAY AFTERNOON.

JANUARY 28, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

Senators Byrd, Chandler and Carver, members of the Committee on Benevolent Institutions, were granted leave of absence to visit the Reformatory for Women and Girls, Indianapolis.

Senate Bill No. 119, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Thompson, of Pulaski, offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 119 as follows:

After the word "quails," wherever it occurs, insert the words "snipe and plover."

Senator Hayden moved to lay the amendment upon the table.

The ayes and noes being demanded by Senators Akin and Jones.

The roll was called, which resulted as follows:

The voting in the affirmative were:

Senators Carver, Griffith, Hayden, Hays, Holcomb, Hudson, Kerth, Kopelke, Thompson of Huntington and Wells. Total, 9.

Those voting in the negative were:

Senators Akin, Boyd, Byrd, Chandler, Clemans, Ellison, Foley, French, Fulk, Grimes, Grose, Hanley, Hobson, Holland, Howard, Jackson, Jones, Kennedy, Lynn, McGregor, Moore, Mount, Shanks, Thompson of Marion, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 27.

So the motion to lay upon the table was lost.

The question recurring upon Senator Thompson's amendment, the same was adopted.

Senator Yaryan offered the following amendment to Senate Bill No. 119:

MR. PRESIDENT:

I move to amend Senate Bill No. 119, as follows: Strike out the words "five years" in line 3, section 1, and insert instead thereof the words "two years."

The amendment was adopted, and the bill as amended was ordered engrossed.

Senate Bill No. 136, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senator French moved to take from the table Senate Bill No. 118.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Byrd, Carver, Chandler, Ellison, Foley, French, Fulk, Griffith, Grose, Hayden, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Moore, Mount, Shanks, Thompson of Marion, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 31.

Those voting in the negative were:

Senators Akin, Clemans, Grimes, Hanley, Hays and Thompson of Huntington and Wells. Total, 6.

So the motion prevailed.

Senator French moved to non-concur in the report of the committee.

Senator Magee moved to lay the motion to non-concur on the table.

The ayes and noes being demanded by Senator Fulk, the roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Clemans, Griffith, Hayden, Hays, Holland, Jackson, Kopelke, Magee, Thompson of Pulaski. Total, 11.

Those voting in the negative were:

Senators Boyd, Byrd, Carver, Ellison, Foley, French, Fulk, Grimes, Grose, Hanley, Hobson, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Lynn, McGregor, Moore, Mount, Shanks, Thompson of Marion, Thompson of Huntington, Wiggs, Yaryan. Total, 26.

So the motion to lay on the table did not prevail.

The question recurring on the motion to non-concur in the report of the committee.

The ayes and noes being demanded by Senators Ellison and Byrd.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Byrd, Carver, Chandler, Ellison, French, Fulk, Grimes, Grose, Hanley, Holcomb, Howard, Hudson, Jones, Kennedy, Lynn, McGregor, Moore, Mount, Shanks, Thompson of Marion, Thompson of Huntington and Wells, Wiggs, and Yaryan. Total, 24.

Those voting in the negative were :

Senators Akin, Burke, Clemans, Foley, Hayden, Hays, Hobson, Holland, Kerth, Kopelke, Magee, Thomposon of Pulaski, White and Carroll. Total, 12.

So the motion to non-concur in the report of the committee prevailed.

And the bill was ordered printed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House passed Senate Bill No. 49, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

Senate Bill No. 58, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senate Bill No. 106, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 121, together with the report of the committee thereon, was read a second time.

Senator Hays moved that the bill be ordered engrossed.

Senator Burke moved as a substitute for Senator Hays' motion that the further consideration of Senate Bill No. 121 be indefinitely postponed.

The substitute was adopted.

Senate Bill No. 100, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 122, together with a report of the committee thereon, was read a second time.

Senator Howard offered the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 122 be referred to a special committee of one, with instructions to strike out Section 2 of said bill, and renumber Sections 3 and 4 as Sections 2 and 3, respectively.

Also, to amend the title by inserting "for" between the words "providing" and "the mode," and striking out the words "eight (8)."

And that the bill be re-engrossed with said amendments.

The motion was adopted and Senator Howard was appointed as such committee.

Senator Howard, as special committee, made the following report:

MR. PRESIDENT :

Your special committee appointed to make amendments in Senate Bill No. 122, would respectfully report that said amendments have been made as ordered, and ask that said bill be now re-engrossed.

The report was concurred in, and the bill as amended, re-engrossed.

Senate Bill No. 30, together with the report of the committee thereon, was read the second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 67, together with the report of the committee thereon, was read the second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 85, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senator Magee, chairman of the Committee on Finance, offered the following report on Senate Bill No. 77:

MR. PRESIDENT:

The Finance Committee, to whom was referred Senate Bill No. 77, providing for the reimbursement of the medical superintendent and others, on account of advance of money and supplies made for the use of the Northern Hospital for Insane, and being satisfied of the justice of the claim, recommend that the bill do pass.

On motion of Senator Grimes, Senate Bill No. 77, together with the report of the committee and the statement of the Superintendent of the Northern Hospital for Insane, was ordered printed.

Senate Bill No. 113, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senator Kopelke, of the Committee on Corporations, made the following report on Senate Bill No. 179:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 179, introduced by Senator Hudson, has had the same under consideration, and beg leave to report it back, with the recommendation that the same do pass.

Senator Kennedy, chairman of the Committee on Printing, offered the following report on Senate Bill No. 159:

MR. PRESIDENT:

Your Committee on Public Printing, to whom was referred Senate Bill No. 159, introduced by Senator Ewing, beg leave to report the same back, with the recommendation that it do pass.

Senator Howard, chairman of Committee on Swamp Lands and Drains, presented the following report:

MR. PRESIDENT:

Your Committee on Swamp Lands, to which was referred Senate Bill No. 91, introduced by Senator Howard, having already recommended the passage of Senate Bill No. 58, introduced by Senator Grimes, which latter bill provides for the issue of graduated drainage bonds on the collection of assessments in annual installments, therefore recommend that Senate Bill No. 91 be indefinitely postponed.

The report was concurred in.

Senator Griffith, chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that they have carefully examined Enrolled House Act No. 344, and find the same correctly enrolled.

President Chase announced that he had signed House Act No. 344.

Senator Griffith, chairman of the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that after the Enrolled House Act No. 344 was properly signed by the presiding officers of both Houses of this General Assembly, they transmitted and filed the same with the Governor.

This January 28, 1891.

Senator Kerth, chairman of the Committee on Cities and Towns, offered the following report on Senate Bill No. 20:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 20, introduced by Senator Francis, beg leave to report the same back with the recommendation that it be indefinitely postponed.

The report of the committee was concurred in.

Senator Kerth, chairman of Committee on Cities and Towns, also made the following report on House Bill No. 119:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred House Bill No. 119, introduced by Representative Ader, beg leave to report same back with the recommendation that it do pass.

Senator Kerth, chairman of the Committee on Cities and Towns, made the following report on Senate Bill No. 39:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 39, introduced by Senator Shockney, having had the same under consideration, beg leave to report recommending that said bill be amended by striking out the words, "one of whom shall be a woman, a citizen of such city or town, and over the age of twenty-one years," in lines 6 and 7 of section 2, and when so amended that said bill be passed.

Senator Kerth, chairman of the Committee on Cities and Towns, made the following report on House Bill No. 251:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred House Bill No. 251, introduced by Representative Trimble, beg leave to report the same back with the recommendation that it do pass.

Senator Kerth, chairman of the Committee on Cities and Towns, also made the following report on Senate Bill No. 139:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 139, introduced by Senator Fulk, have the honor to report that the first section of said bill after the word, "misdemeanor" in line 19 of said section be amended to read as follows: "By any Judge of the Circuit Court, Justice of the Peace, Mayor or other officer having jurisdiction of crimes or misdemeanors," and when so amended recommend that the bill do pass.

Senator Kerth, chairman of Committee on Cities and Towns, also made the following report on House Bill No. 118 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred House Bill No. 118, introduced by Representative Zoercher, beg leave to report same back with the recommendation that it do pass.

Senator Kerth, chairman of the Committee on Cities and Towns, offered the following report on Senate Bill No. 72 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 72, introduced by Senator McHugh, recommend that the first section of said bill be amended by inserting and adding after the words "so to do," in said section, the following: "Such wards shall contain, as nearly as possible, an equal number of voters, and be composed of compact and contiguous territory," and that, as amended, the bill do pass.

Senator Kerth, chairman of Committee on Cities and Towns, also made the following report on Senate Bill No. 149 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 149, introduced by Senator Shockney, have had the same under consideration, and beg leave to report same back, with the recommendation that it do pass.

Senator Akin moved that House Bills Nos. 118, 119 and 251 be not printed.

The motion prevailed.

On motion of Senator Hayden, the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

THURSDAY MORNING.

JANUARY 29, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. E. G. Hunter, of Holy Innocents Church, Indianapolis.

After the reading of a portion of the Journal, on motion of Senator Jones, the further reading of the same was dispensed with.

Senator Thompson of Pulaski, chairman of the Committee on Public Health, made the following report on Senate Bill No. 97 :

MR. PRESIDENT:

Your Committee on Public Health, to whom was referred Senate Bill No. 97, introduced by Senator Shockney, have had the same under consideration, and beg leave to report the same back, with the following amendments, to-wit: "*Provided, however, That nothing in this act shall be so construed as to prevent the Trustees or other proper authorities sending such persons to the poor-house in the county in which they live,*" and when so amended the bill do pass.

The bill was ordered printed.

Senator Fulk, as a special committee of one to make amendments on Senate Bill No. 83, made the following report :

MR. PRESIDENT:

Your committee of one, to whom was referred Senate Bill No. 83 for amendment, submits the following amendments thereto :

1. Amend the title of said bill so as to read :

A bill for an act to repeal Section 1 of an act entitled, "an act in relation of the running at large of all kinds of animals within the different townships in the different counties of the State, and to provide for the taking up and impounding and selling of all such animals as shall not be allowed by law to run at large."

Approved May 31, 1852.

Amended March 29, 1879, being Section 2637 of the Revised Statutes of 1881.

Also, to repeal Section 2 of an act entitled, "an act in relation of the running at large of all kinds of animals within the different townships and parts thereof in the different counties of this State."

Approved May 31, 1852, being Section 2638 of the Revised Statutes of 1881.

2. By amending Section 1 of said bill so as to read as follows:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That Section 1 of an act entitled, "an act in relation of the running at large of all kinds of animals within the different townships in the different counties of the State, and to provide for the taking up and impounding and selling of all such animals as shall not be allowed to run at large."

Approved May 31, 1852, and amended March 29, 1879, being Section 2637 of the Revised Statutes of 1881.

Also, Section 2 of an act entitled, "an act in relation of the running at large of all kinds of animals within the different townships and parts thereof in the different counties of this State."

Approved May 31, 1852, being Section 2638 of the Revised Statutes of 1881.

Senator Hayden, chairman of the Committee on Banks, offered the following report on Senate Bill No. 66:

MR. PRESIDENT:

Your Committee on Banks, to whom was referred Senate Bill No. 66, introduced by Senator Kerth, beg leave to report that they have had the same under consideration and recommend that the same do pass.

The report of the State Soldiers' and Sailors' Monument Commission was presented to the Senate, in response to the resolution heretofore adopted.

On motion of Senator Magee, the same was referred to the Committee on Finance, without reading.

Senator Byrd introduced Senate Bill No. 201, entitled :

A bill for an act to establish certain provisions respecting private corporations, or companies creating and existing at and before the first day of November, A. D. 1850.

Read first time and referred to Committee on Corporations.

Senator Shanks introduced Senate Bill No. 202, entitled :

A bill for an act supplemental to an act entitled, "An act concerning taxation," approved March 29, 1881, and to limit the application of seventy-one of said act, the same being section 6339 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Senator Holland introduced Senate Bill No. 203, entitled :

A bill for an act for the protection of birds, their nests and eggs.

Read first time and referred to Committee on Agriculture.

Senate Bill No. 115, together with the report thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 158, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 157, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 41 was read a second time, together with the report of the committee thereon.

Senator Thompson of Huntington moved that the report of the committee be concurred in.

Senator Burke moved as a substitute that the further consideration of the bill be indefinitely postponed.

Which motion was adopted.

Senate Bill No. 161, together with the report of the committee thereon, was read a second time.

Report of committee was concurred in.

Senator Howard offered the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 161 be amended by inserting before the words, "such clerk," the following : "Section 7."

Also, in Section 1, lines 19 and 20, strike out the words "Provided that" and "be and the same."

The motion prevailed, and the bill was ordered engrossed.

Senator Griffith moved to reconsider the report on Enrolled House Bill No. 844

Carried.

Senator Griffith offered the following motion :

MR. PRESIDENT :

I move that the joint Committee on Enrolled Bills be permitted to withdraw the report made by them on yesterday as to Enrolled House Act No. 844, and that the journal of yesterday be corrected by striking said report and the approval thereof from said record.

The motion was adopted.

Senator Foley introduced Senate Bill No. 204, entitled :

A bill for an act appropriating money for the claim of the Warren-Scharf Asphalt Paving Company on account of paving with asphalt the roadway of Mississippi street, in the city of Indianapolis, west of the State House grounds, and declaring an emergency.

Read first time and referred to Committee on Claims.

Senator Holland, chairman of the Committee on Claims, made the following report on Senate Bill No. 51:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Senate Bill No. 51, introduced by Senator Grose, having considered the same, beg leave to report that the said bill be indefinitely postponed.

The report of the committee was concurred in.

Senator Holland, of the same committee, made the following report on Senate Bill No. 52:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Senate Bill No. 52, introduced by Senator Hayden, having considered the same, recommend that the said bill do pass.

On motion of Senator Burke, the bill was referred to the Committee on Finance.

Senator Holland, of the same committee, made the following report on Senate Bill No. 145:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Senate Bill No. 145, introduced by Senator Kopelke, having considered the said bill, recommend that the same do pass.

Referred to Committee on Finance.

- The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 172, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 226, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 87, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 86, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 12, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 25, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 67, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Leave of absence was granted Senator Loveland for the remainder of the day.

On motion of Senator Jones the Senate adjourned.

THURSDAY AFTERNOON.

JANUARY 29, 1891.

The Senate convened at 2 o'clock p. m., Lieutenant Governor Chase in the chair.

Senator Magee, chairman of the Committee on Finance, offered the following report on Senate Bill No. 52:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred Senate Bill No. 52, introduced by Senator Hayden, having had the same under consideration, have the honor to recommend that the same do pass.

On motion of Senator Magee, the report of the committee was concurred in.

Senator Jackson, chairman of Committee on County and Township Business, made the following report on Senate Bill No. 152:

MR. PRESIDENT;

Your Committee on County and Township Business, to whom was referred Senate Bill No. 152, introduced by Senator Griffith, beg leave to report the same back, and that it be amended as follows, to-wit:

Amend Section 3 by striking out all of Section 3 and inserting in lieu thereof the following :

Section 3. After the completion of the new county buildings at the proposed new county seat, the Board of Commissioners shall proceed to have the county buildings and grounds at the old county seat appraised, and for that purpose shall appoint three freeholders of the county, who shall proceed within ten days after such appointment to appraise such property, and they shall make and file with the Auditor of such county their appraisement in writing, under oath. Such Commissioners shall then sell such property at public sale, on such notice as they deem necessary, to the highest bidder, for not less than two thirds of such appraisement, the proceeds to go into the county fund.

Also, amend Section 7, by inserting the following words between the words "forth" and "said" in line 7 of the fifth page of said bill, to-wit:

Provided, If the proposed relocation of the county seat carries the same farther away from the geographical center of the county, then there must be sixty per cent. of the votes cast at such election to authorize such relocation.

And when so amended that the bill do pass.

Senator Wiggs was granted a leave of absence until Monday evening.

Engrossed Senate Bill No. 136 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Bird, Chandler, Clemans, Ellison, Foley, French, Fulk, Griffith, Grimes, Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Mount, Shanks, Thompson of Marion, Thompson of Pulaski, and Yaryan. Total, 34.

Senator Grose voting in the negative.

So the bill passed.

Senator Griffith offered the following motion :

MR. PRESIDENT :

I move that the substitute for Senate Bill No. 136 be referred to Senator Ellison as a committee of one with instruction to amend the title by adding the words, "and declaring an emergency."

The motion carried and the bill was so referred.

Senator Ellison, as the special committee, made the following report :

MR. PRESIDENT :

Your special committee, to whom was referred Senate Bill No. 136 with instructions to amend the title by adding the words, "and declaring an emergency," report that the amendment has been made.

The report of the committee was concurred in, and the title to the bill as amended was ordered to stand as the title to the act.

Engrossed Senate Bill No. 106 was read a third time.

Senator Magee offered the following motion :

MR. PRESIDENT :

I move Senate Bill No. 106, introduced by Senator Hanley, be referred to a committee of one, consisting of Senator Hanley, with instructions to strike out the emergency clause in said bill.

The motion prevailed.

Senator Hanley, as special committee, made the following report :

MR. PRESIDENT :

Your committee to whom was referred Senate Bill No. 106, beg to report that it has amended said bill as instructed by the Senate, by striking out section 2 of said bill.

The report was concurred in.

The question being, Shall the bill pass?

The roll was called, which resulted as follows.

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Griffith, Grimes, Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Mount, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Yaryan. Total, 85.

Those voting in the negative were:

Senators Burke, Shanks. Total, 2.

So the bill passed.

Senator Hanley moved to amend the title by striking out the emergency clause.

Which motion prevailed.

The title of the bill as amended was ordered to stand as the title to the act.

Engrossed Senate Bill No. 100 was read a third time.

Referred to Committee on Finance.

Engrossed Senate Bill No. 90 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Foley, French, Fulk, Griffith, Grimes, Hanley, Hayden, Hays, Hobson, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Mount, Shanks, Thompson of Marion, Thompson of Pulaski, and Yaryan. Total, 84.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 122 was read a third time.

Senator Howard offered the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 122 be referred to a special committee to amend by striking out the word "security," and insert in lieu thereof "surety" in section one.

Motion carried.

Senator Howard was appointed as such special committee.

Senator Howard made the following report :

MR. PRESIDENT :

Your special committee, to whom was referred Senate Bill No. 122, to amend same, would report that such amendment has been made.

The report was concurred in.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Mount, Shanks, Thompson of Huntington and Wells, and Thompson of Pulaski, White and Carroll. Total, 35.

Those voting in negative were :

Senators Thompson of Marion, and Yaryan.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed Senate Bill No. 30 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Burke, Byrd, Chandler, Ellison, Foley, French, Fulk, Griffith, Grimes, Hayden, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 30.

Those voting in the negative were :

Senators Akin, Boyd, Carver, Clemans, Grose, Hanley. Total, 6.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 98 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Carver, Clemans, Ellison, Foley, French, Fulk, Griffith, Grimes, Hanley, Hayden, Hays, Hobson, Holland, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Morgan, Moore, Mount, Shanks, Thompson of Marion, Thompson of Pulaski, White and Carroll, and Yaryan. Total, 30.

Those voting in the negative were :

Senators Akin, Chandler, Grose and Magee. Total, 4.

So the bill passed.

Senator Howard moved to amend the title by adding the words, "and declaring an emergency."

Which motion prevailed.

The title as amended was ordered to stand as the title to the act.

Engrossed Senate Bill No. 124 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, French, Fulk, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Mount, Shanks, Thompson of Marion, Thompson of Pulaski, and Yaryan Total, 35.

No Senator voting in the negative.

So the bill passed.

Senator Howard moved to amend the title of the act by adding, "and declaring an emergency."

The motion was adopted.

The title to the bill as amended was ordered to stand as the title to the act.

Engrossed Senate Bill No. 113 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holcomb, Hollaud, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, Magee, Morgan, Moore, Mount, Shanks, Thompson of Marion, Thompson of Pulaski, Yaryan. Total, 35.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Burke introduced Senate Bill No. 205, entitled :

A bill for an act providing for the relief of the Supreme Court, and the appointment of amanuenses to the Judges thereof, fixing their compensation, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed Senate Bill No. 119 was read a third time.

Senator McGregor offered the following memorial :

THE QUAIL.

DEAR SIR—At each of the last three sessions of the Indiana Legislature, a bill has been introduced forbidding the killing of quail for a certain number of years. No State has a better law than ours, and none more universally observed.

There is before the House now a bill (H. B. No. 4), forbidding the killing of quail for two years. The object of this bill is, no doubt, to make quail more abundant, but a greater mistake could not be made. It is not the *gun* that destroys so many birds, but the cold waves that sweep down suddenly from the north that freeze them to death as they sit huddled together in the field. Whenever the temperature falls 18 or 20 degrees below zero the quails are frozen to death in whole covies. They rarely seek a sheltered place to roost, but are usually found in the open field, oftentimes in the most exposed positions. During the seasons of 1854 and 1855, the quail were more abundant than ever known before or since in this State. The three preceding winters had been mild, and the summers dry and favorable to their nesting, but the winter of 1856 almost destroyed the entire crop. When spring came, and summer, the whistle of the male bird was rarely heard. When the season arrived for shooting, it was a rare thing to find a covey.

From 1856, a gradual increase took place until January 1, 1864. On the morning of that day the mercury fell from 20 to 25 degrees below zero. Thousands and tens of thousands of birds were frozen to death before noon.

From 1864 to 1881, the increase was slow. It more than once occurred, where the winter was mild, that the summer was wet and unfavorable for nesting, and so no increase took place.

The winter of 1881 (like those of 1856 and 1864), was also very destructive to quail. In many portions of the State one-half or more of the crop perished from cold, and in other portions nine out of ten died from starvation, the ground being covered with snow for a long time.

The excessive cold of winter and a wet summer both retard the increase of quail. The summer of 1883 was a fair illustration of the injurious effect of a wet season. The first nestings of quail and the prairie hen were both drowned out by the excessive rains of May, June and July. Many of the quail had a second brood. The prairie hens never have but one.

Here is a simple and true history of the increase and decrease of quail in our State, and the causes therefor, for the past twenty-nine years. If there is any portion of it where prohibition has effected any good, I can not see it. It has been tried in Ohio and signally failed. If it were enforced by law, the trap and the hawk would take the place of the gun.

There is an abundant supply of quails, greater than for many years past, and we appeal to you to protect us from the passage of a law that would prevent our enjoying them at the proper season.

"The Lord giveth the increase." So let us enjoy it when it comes, and not make laws to forbid that over which we have no control.

Yours respectfully,

A. C. LANIER.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Chandler, Clemans, Ellison, French, Fulk, Grose, Hanley, Hobson, Holcomb, Howard, Jones, Kennedy, Lynn, McGregor, Moore, Mount, Shanks, Thompson of Pulaski, Yaryan. Total, 22.

Those voting in the negative were:

Senators Burke, Carver, Foley, Griffith, Grimes, Hayden, Hays, Holland, Hudson, Jackson, Kerth, Kopelke, Magee, Morgan, Thompson of Marion. Total, 15.

So the bill failed to pass for want of a constitutional majority.

Senator Howard presented the following memorial:

Hon. T. E. Howard, Indianapolis, Indiana:

DEAR SIR—See R. S. 1881, Section 2021; see R. S. 1881, Section 5966. I wish that the clause might be stricken out that reads, “or being an officer in any bank or in any corporation or association possessed of any banking powers.”

There does not seem to be any good reason why a bank officer should not be permitted to hold a notarial commission if he chooses to do so, and it is often very inconvenient not to have a notary public connected with the bank. It is also very inconvenient for a bank officer not actively engaged with the management, to be compelled to give up his notary public work, or for example, in our own city, Lucius Hubbard, Jacob Woolverton and others.

Other States, with perhaps two or three exceptions, allow bank officers to act as notaries. I think that this law was passed when there may have been possible abuses, protesting bank bills (currency), but if so, this reason is a thing of the past, with national currency only.

Very truly,

MYRON CAMPBELL,
Vice President.

Referred to Committee on Banks and Banking without reading.

The Committee on Benevolent Institutions was granted a leave of absence for to-morrow.

On motion of Senator Grimes, Senate Bill No. 58 was recommitted to the Committee on Swamp Lands and Drains.

On motion of Senator Howard, Senate Bill No. 28 was re-committed to the Committee on Organization of Courts.

Engrossed House Bill No. 226, entitled :

A bill for an act to legalize the incorporation of the town of Clifford, Bartholomew County, Indiana, the election and qualification of its several Boards of Trustees and other officers, and all acts, orders, ordinances, resolutions, by-laws, minutes and proceedings of the Boards of Trustees of said town, and other matters connected therewith, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 25, entitled :

A bill for an act to regulate the holding of courts in the Fifty-second Circuit.

Read first time and referred to Committee on Organization of Courts.

Engrossed House Bill No. 87, entitled :

A bill for an act to legalize acts of Notaries Public whose commissions had expired, or who had been ineligible to office.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 67, entitled :

A bill for an act to amend section 53 of an act concerning public offenses and their punishment, approved April 14, 1881, the same being section 1954 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 172, entitled :

A bill for an act to cede to the United States jurisdiction over the lands of a national cemetery.

Read first time and referred to Committee on Federal Relations.

Engrossed House Bill No. 86, entitled :

A bill for an act providing for filling vacancies in the office of Mayor, Clerk, or Councilmen in incorporated cities by appointment, and fixing the term of office of such appointees, and repealing *all laws* and parts of laws in conflict therewith in so far as they so conflict.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 12, entitled :

A bill for an act authoring Boards of County Commissioners to appoint Justices of the Peace in certain cases, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

On motion of Senator Burke the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

FRIDAY MORNING.

JANUARY 30, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by President Chase.

After the reading of a portion of the Journal, on motion of Senator Mount the further reading of the same was dispensed with.

Senator Jackson was granted leave of absence until Monday morning.

Senator Howard, chairman of the Committee on Swamp Lands, made the following report on Senate Bill No. 117 :

MR. PRESIDENT :

Your Committee on Swamp Lands, to which was referred Senate Bill No. 117, having already recommended Senate Bill No. 75, for the clearing of ditches, now report said bill No. 117, relating to the same subject, for indefinite postponement.

The report of the committee was concurred in.

Senator Howard, chairman of same committee, made the following report on Senate Bill No. 31:

MR. PRESIDENT:

Your Committee on Swamp Lands, to which was referred Senate Bill No. 31, recommend that the same be indefinitely postponed.

The report of the committee was concurred in.

Senator Howard, chairman of Committee on Swamp Lands and Drains, made the following report on Senate Bill No. 58:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to which was referred Senate Bill No. 58, recommend the following amendments:

In section one (1) line 79 of the printed bill, after the word "covered" insert the following: "by lowering a lake or lakes."

Also, add to section two (2) the following: "*And provided further*, That in all cases where any ditch, drain, levee, or other like improvement, has been located or is in process of construction in any county under and by provisions of existing laws of this State and not to exceed one-half of the assessments have been paid on account of such ditch, drain, levee or other improvement, the Board of County Commissioners may, as hereinbefore provided, issue and dispose of the bonds of the county for an amount equal to the unpaid assessments, said bonds to be paid for out of assessments when collected, as hereinbefore provided."

And when so amended that the bill be engrossed.

The report was concurred in and the bill, as amended, was ordered re-engrossed.

Senator McHugh, chairman of the Committee on Natural Gas, offered the following report on Senate Bill No. 116:

MR. PRESIDENT:

Your Committee on Natural Gas, to whom was referred Senate Bill No. 116, introduced by Senator Boyd, recommend that the same be indefinitely postponed.

The report was concurred in.

Senator McHugh, of the same committee, also offered the following report on Senate Bill No. 40:

MR. PRESIDENT:

Your Committee on Natural Gas, to whom was referred Senate Bill No. 40, recommend that the same be indefinitely postponed.

The report was concurred in.

Senator Burke, chairman of the Committee on Judiciary, offered the following report on Senate Bill No. 160:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 160, introduced by Senator Ewing, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Ordered to lie upon the table.

Senator Burke, of the same committee, also offered the following report on Senate Bill No. 202:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 202, introduced by Senator Shanks, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Report was concurred in.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 205:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 205, introduced by Senator Burke, beg leave to report the same back to the Senate, recommending that the bill do pass.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 185 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 185, introduced by Senator Burke, beg leave to submit a report on said bill recommending that it do pass.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 62 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 62, introduced by Senator Byrd, beg leave to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Report concurred in.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 193 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 193, introduced by Senator Hayden, beg leave to report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 199 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 199, introduced by Senator Mount, beg leave to report the same back, recommending that the bill be indefinitely postponed.

The report was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Joint Resolution No. 2, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also the following message :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 217, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also, the following message :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 286, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also, the following message :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 298, and that the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also, the following message :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 260, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also, the following message :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 397, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also, the following message :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 103, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Senator Hays offered the following resolution :

Be it Resolved by the Senate of the State of Indiana, That it is with a feeling of deepest sadness and profoundest regret that we learn of the sudden death of the Hon. William Windom, Secretary of the Treasury of the United States. We recognize in the demise of Secretary Windom the loss to the nation of a wise statesman, a sound financier, a prudent counselor, and a kind and lovable man.

Be it further Resolved, That a copy of this resolution, properly engrossed, be sent to the family of the late Secretary.

The resolution was unanimously adopted.

Senator Ellison introduced Senate Bill No. 206, entitled :

A bill for an act to amend section 202 of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881.

Read first time and referred to Committee on County and Township Business.

Senator Foley introduced Senate Bill No. 207, entitled :

A bill for an act to provide for the amicable adjustment of grievances and disputes that may arise between employers and employes, and to authorize the creation of a State Court of Arbitration and Mediation, and defining its powers.

Read first time and referred to Committee on Judiciary.

Senator Griffith introduced Senate Bill No. 208, entitled :

A bill for an act defining the Fifth and Seventh Judicial Circuits of the State of Indiana, fixing the times of holding courts in said circuits, prescribing the length of terms thereof, providing for the return of process therein, repealing all laws in conflict therewith and declaring an emergency.

Read first time.

Senator Griffith moved that the constitutional rule be suspended, and that the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the rule, the roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Chandler, Clemans, Ellison, Foley, French, Fulk, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kopelke, Loveland, Lynn, McGregor, Magee, Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Pulaski, Yaryan. Total, 34.

No Senator voting in the negative :

So the constitutional rule was suspended, the bill read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Grose, Hanley,

Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Pulaski, Yaryan. Total, 86.

So Senate Bill No. 208 passed.

The title to the bill was ordered to stand as the title to the act.

Senator Grimes, by request, introduced Senate Bill No. 209, entitled :

A bill for an act regulating and prescribing the service of process in the courts of the State of Indiana against foreign fire, life, plate glass, steam boiler indemnity and guarantee insurance companies doing business in Indiana.

Read first time and referred to Committee on Judiciary.

Senator Hanley introduced Senate Bill No. 210, entitled :

A bill for an act concerning boards of county commissioners and prosecuting attorneys, making prosecuting attorneys county attorneys *ex-officio*, and chairmen of the boards of county commissioners, fixing their salaries and defining their duties in connection therewith, providing for the appointment of deputies, repealing all laws in conflict with the same, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Holcomb introduced Senate Bill No. 211, entitled :

A bill for an act defining the Third Judicial Circuit in the State of Indiana, attaching Pike County thereto, and fixing the length of terms and time of holding the terms of court therein, and prescribing the duties of the prosecuting attorney thereof, and the duties of the prosecuting attorney of the Eleventh Judicial Circuit, repealing all laws in conflict.

Read first time and referred to Committee on Organization of Courts.

Senator Jones introduced Senate Bill No. 212, entitled :

A bill for an act to abolish the office of and board of trustees of water-works in cities and incorporated towns having a population of less than five thousand.

Read first time and referred to Committee on Cities and Towns.

Senator McGregor introduced Senate Bill No. 213, entitled :

A bill for an act to amend the title and section 1 of an act entitled "An act authorizing railroad, plank road, turnpike road, macadamized road, and all companies organized for the manufacture of railroad or other iron, gas and bridge companies, to borrow money, and to secure the repayment thereof by mortgage," approved February 14, 1859, being section 3019 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator McHugh introduced Senate Bill No. 214, entitled :

A bill for an act to amend section 20 of an act entitled "An act for the incorporation of insurance companies, defining their powers, and prescribing their duties," approved June 17, 1852, and being section 3727 of chapter 32 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Senator McHugh introduced Senate Bill No. 215, entitled :

A bill relative to actions for libel.

Read first time and referred to the Committee on Judiciary.

Senator Smith introduced Senate Bill No. 216, entitled :

A bill for an act to amend section 61 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertained thereto," being section 3161 of the Revised Statutes of 1881, approved March 14, 1867, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Ewing introduced Senate Bill No. 217, entitled :

A bill for an act entitled an act to encourage the breeding and improvement of trotting and pacing horses, for the prevention and punishment of fraudulent entries and practices in contests of speed, prescribing penalties therefor, and declaring and emergency.

Read first time and referred to the Committee on Agriculture.

Senator Magee offered the following resolution :

MR. PRESIDENT :

I move the following amendment to the rules :

When a motion is made to lay an amendment to a bill on the table such motion shall only go to the amendment and not carry the main question.

On motion of Senator Burke the resolution was referred to the Committee on Rules.

Senator Burke moved to reconsider the reference of House Bill No. 25, to the Committee on Organization of Courts.

The motion carried.

Senator Burke moved that the Constitutional rule be suspended, the bill read a second time by title, read a third time by sections and put upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kopelke, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Pulaski, White and Carroll, and Yaryan. Total, 35.

No Senator voting in the negative.

So the Constitutional Rule was suspended, the bill read a second time by title, and a third time by sections.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Pulaski, White and Carroll, and Yaryan. Total, 36.

No Senator voting in the negative.

So the bill passed.

Senator Burke offered the following motion:

MR. PRESIDENT:

I move to refer Engrossed House Bill No. 25 to a committee of one with instructions to amend the title thereof by adding the words "and declaring an emergency."

The motion was adopted and Senator Burke was appointed as such committee.

Senator Burke, of the special committee, offered the following report:

MR. PRESIDENT:

Your special committee of one, to whom was referred House Bill No. 25, to amend the title, report the same has been done.

The report was concurred in.

The title as amended was ordered to stand as the title to the act.

Senator Jackson, chairman of Committee on County and Township Business, made the following report on Senate Bill No. 188:

MR. PRESIDENT:

We, your Committee on County and Township Business, to whom was referred Senate Bill No. 188, recommend, after duly considering the same, that it do pass.

Senator Boyd moved that the constitutional rule be suspended, and that the bill be read a second time by title and considered engrossed, and a third time by sections and put upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Pulaski, and Yaryan. Total, 35.

So the constitutional rules were suspended.

The bill was read a second time by title and considered engrossed, and a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Chandler, Clemans, Ellison, Ewing, French, Fulk, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Pulaski, and Yaryan. Total, 34.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senate Bill No. 61, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senator Burke, chairman of Committee on Judiciary, also made the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 207, introduced by Senator Foley, beg leave to report on said bill without making any recommendation, except that it lie upon the table and be printed.

Ordered to lie upon the table and be printed.

Senator Fulk moved to recommit Senate Bill No. 139.

Which motion prevailed.

The bill was recommitted to Senator Fulk for amendment.

Engrossed Senate Bill No. 161 was read a third time.

Senator Howard offered the following motion:

MR. PRESIDENT:

I move that Senate Bill No. 161 be referred to a special committee of one to amend the title by adding the words "repealing all laws in conflict therewith, and declaring an emergency;" also before the word "whereas," insert "section 2."

The motion carried, and Senator Howard appointed as such committee.

Senator Howard, as a special committee of one, made the following report:

MR. PRESIDENT:

Your special committee appointed to make amendments to Engrossed Senate Bill No. 161, reports that said amendments have been made as directed.

Report concurred in, and the bill was put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Grose, Hanley,

Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kopelke, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Pulaski, Yaryan. Total, 34.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 115 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Chandler, Clemans, Ellison, Ewing, French, Fulk, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Pulaski, and Yaryan. Total, 34.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Jones moved that the Senate adjourn.

The motion was lost.

Senator Magee moved that the Senate adjourn.

The motion prevailed.

FRIDAY AFTERNOON.

JANUARY 30, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

Engrossed Senate Bill No. 153 was read a third time.

On motion of Senator Howard it was referred to the Committee on Phraseology.

Senator Ellison, chairman of the Committee on Phraseology, made the following report on Senate Bill No. 153 :

MR. PRESIDENT :

Your Committee on Phraseology, to whom was referred Senate Bill No. 153, introduced by Senator Moore, for corrections, respectfully report that such corrections have been made, as follows: Section 5104 has been corrected to read, "Section 14." That on page 3, line 9, the following repetition be stricken out, to-wit: "to superintend." On page 4, line 10 "on" is struck out and "at" substituted. On page 6, line 4, after "require," "it" has been inserted. On page 7, line 3, strike out repetition, "are not satisfied." The following section is substituted for the words, "and declaring an emergency," to-wit:

"Section 2. Whereas an emergency exists for the immediate taking effect of this act, therefore the same shall be in full force from and after its passage."

On motion of Senator Magee the report of the committee was concurred in, and the bill was ordered re-engrossed.

Engrossed Senate Bill No. 75 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Hanley, Hayden, Hays,

Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski. Total, 33.

Those voting in the negative were :

Senators Grose and Yaryan. Total, 2.

So the bill passed.

On motion of Senator Howard the bill was referred to Committee on Phraseology for correction of title to the bill.

On motion of Senator Howard the vote taken on referring Senate Bill No. 75 to Committee on Phraseology was reconsidered.

The question recurring on the motion to refer Senate Bill No. 75 to the Committee on Phraseology, the same was lost.

The title to the bill was ordered to stand as the title to the act.

Senator Holland made the following motion :

MR. PRESIDENT :

I move when the Senate adjourn it adjourn to meet at 11 o'clock A. M., Monday next.

Senator Magee offered the following amendment :

MR. PRESIDENT :

I move to amend that when the Senate adjourn it adjourn to Monday, February 2, 1891, at 10 o'clock A. M., on account of and out of respect to the memory of the late William Windom, Secretary of the Treasury.

The amendment was adopted.

The question recurring upon the motion as amended, the same was adopted.

Senator Shanks introduced the following memorial :

To the Members of the Indiana Legislature:

The undersigned citizens of this State, acting as the authorized representatives of the allied industrial organizations throughout the State, respectfully ask at your hands the early

and candid consideration of the measures outlined below. We ask for these laws on the broad ground of citizenship, and not in the interest of particular classes, believing that the evils in our system of government grow out of class privileges based on law.

The subjoined names are those of a committee appointed at a conference meeting of the various farmers' organizations of this State, together with the Indiana Federation of Trades and Labor Unions and the order of Knights of Labor, held at Indianapolis, January 29, 1891.

The following propositions were unanimously agreed upon:

1. We ask for a fee and salary law which shall embody the provision that all fees shall be turned into the treasury, and that all State and county officers be placed on a fixed salary which shall be commensurate with that received for like services and responsibilities in other callings, and that the County Commissioners shall fix the number and salary of the deputies acting for county officers. We favor the law taking effect at time of publication.

2. We ask that our system of taxation shall be so revised as to provide for a just assessment of all kinds of property, both real and personal, to the end that all classes shall contribute a just share in maintaining the State and local government. We believe that a just and lawful appraisalment of such property will furnish a sufficient revenue without increasing the tax levy. We ask that corporate franchises be required to pay a tax commensurate with all the privileges enjoyed, and that a law be passed requiring the appraisalment of real estate every four years, together with a law requiring that four-acre tracts of lands held in incorporated towns and cities (now exempt for city taxation) be listed as adjoining lots and lands are listed.

3. We ask for the repeal of the law providing for the holding of elections to vote subsidies to corporations.

4. A pure food and medicine law.

5. That all contracts involving the granting of franchises shall first be submitted to a vote of the people for approval before being valid.

6. That the common school fund shall be apportioned on the basis of attendance.

7. That a State Board of Arbitration be established.

8. A law for the abolition of contract convict labor in our State prisons, and the placing of the prisons under one Board of Directors.

9. All permits to hunt on farms to be in writing.

10. Making the first Monday in September, known as Labor Day, a legal holiday.

11. That the charges and regulations of the Union Stock Yards at Indianapolis be governed by statute.

12. That public officers be forbidden to accept free railroad passes.

13. That all public printing shall be let to the lowest responsible bidder.

14. That the dog law be amended to require registration with the Township Trustee, and a repeal of the assessment plan.

Respectfully submitted,

D. L. THOMAS, Ch'm'n,
Farmers' State Alliance.

J. F. WHITE, Sec'y,
State Federation of Labor.

F. J. S. ROBINSON,
State Grange and Clay Co. F. M. B. A.

J. B. HAZEL,
State Assembly, F. M. B. A.

C. A. JOHNSON,
Knights of Labor.

D. F. KENNEDY,
State Federation of Labor.

On motion of Senator Shanks, the memorial was referred to the Committee on Agriculture, and 300 copies were ordered printed.

Senator Burke offered the following motion :

MR. PRESIDENT:

I move that hereafter no leave of absence be granted to committees except on Saturday.

Senator Morgan moved to lay the motion on the table.

The ayes and noes being demanded by Senators Burke and Magee.

The roll was called, which resulted as follows :

Those voting in the affirmative were:

Senators Boyd, Clemons, Ellison, Ewing, Fulk, Griffith, Hayden, Hays, Holcomb, Howard, Kopelke, Loveland, Morgan, Moore, and Thompson of Pulaski, White and Carroll. Total, 15.

Those voting in the negative were:

Senators Akin, Burke, Chandler, Foley, French, Grimes, Grose, Hanley, Hudson, Kennedy, Lynn, McGregor, McHugh, Magee, Mount, Shanks, Smith, Thompson of Marion, Thompson of Huntington and Wells, and Yaryan. Total, 20.

So the motion was lost.

The question recurring on the adoption of Senator Burke's motion, the same failed to prevail.

Senator Hudson offered the following resolution :

MR. PRESIDENT:

I offer the following resolution:

WHEREAS, On Friday January 23, the Senate, by resolution, instructed the Committee on Rules to submit a report defining the powers of the Committee on Public Buildings; the Committee on Rules have not yet submitted such report; therefore, be it

Resolved, That the chairman of the Committee on Rules be, and hereby is instructed to report on Monday next, as to the powers of the Committee on Public Buildings.

The resolution was adopted.

Senate Bill No. 160 was ordered to be printed and to lie upon the Senators' desks.

Engrossed House Bill No. 293, entitled :

An act to amend section 9 of an act entitled an act designating a name by which the House of Refuge for the Correction and Reformation of Juvenile Offenders shall hereafter be known, providing for the appointment of commissioners and their compensation, and prescribing their powers and duties, regulating the commitment thereto, and for the more efficient and uniform government of said institution, authorizing the Governor to commute the sentences of boys under twenty-one years, declaring how the expenses of maintaining the institution shall be paid, repealing all laws in conflict with this act, and declaring an emergency, reconsidered February 23, 1888, and again passed, notwithstanding the Governor's objections.

Read first time and referred to the Committee on Benevolent Institutions.

Engrossed House Bill No. 260, entitled :

A bill for an act creating the office of State Supervisor of Oil Inspection, prescribing the duties thereof, and providing for the appointment of such Supervisor; abolishing the office of Chief of the Division of Minerals, Oils and State Inspector of Oils, repealing all laws inconsistent therewith, and declaring an emergency.

Read first time and referred to Committee on Mines and Mining.

Engrossed House Bill No. 397, entitled :

A bill for an act to legalize the incorporation of the town of Salttilloville, Washington County, Indiana, the election and qualification of its Board of Trustees and other officers, and all acts, orders, ordinances, resolutions, by-laws, minutes and proceedings of the Board of Trustees of said town, and other matters connected therewith, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Engrossed House No. 108, entitled :

A bill for an act to amend section sixteen of an act entitled, "An act concerning real property and the alienation thereof, approved May 6, 1852, and amended by act of March 11, 1875, approved March 11, 1875," being section 2931 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 217, entitled :

A bill for an act to regulate and empower incorporated cities and towns within the State to regulate and license pawn-brokers, junk-dealers and dealers in second-hand goods.

Read first time and referred to the Committee on Cities and Towns.

Engrossed House Joint Resolution No. 2 :

WHEREAS, The act of Congress granting a service pension to the survivors of the Mexican war, permits ex-Mexican soldiers who afterward fought in the Confederate army to draw eight dollars per month for their services in Mexico; and,

WHEREAS, By the provisions of the same law, ex-Mexican soldiers, who afterward fought in the Union army and were wounded in battle or otherwise injured while in the line of duty, and are now drawing as much as eight dollars per month for such injuries, are not allowed one cent for their services in the Mexican war; and,

Resolved by the General Assembly of the State of Indiana, That the Indiana United States Senators are hereby instructed, and the Indiana Representatives in Congress requested, to use all legal and patriotic means in their power to modify said Mexican service pension law so that Union soldiers of the late struggle for the unity and perpetuity of our National government may receive the same benefits for their services in Mexico as the Confederate soldiers received. And if this can not be done have said laws so changed that the Mexican Union soldier, if he so elect, may have the amount of the Mexican pension transferred from his Union pension to the Mexican service pension, in order that his name may appear on the

"Roll of Honor" as a pensioner in both wars, and that a copy of this resolution be forwarded to said Senators and Representatives in Congress.

Read first time and referred to Committee on Federal Relations.

On motion of Senator Akin the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

MONDAY MORNING.

FEBRUARY 2, 1891.

The Senate met at 10 o'clock A. M., with President Chase in the chair.

Senate was opened with prayer by Lieutenant-Governor Chase.

After the reading of a portion of the Journal, on motion of Senator Jones, the further reading of the same was dispensed with.

Senator Jackson, chairman of the Committee on County and Township Business, offered the following report on Senate Bill No. 47:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 47, introduced by Senator Caster, beg leave to report the same back with the recommendation that it be indefinitely postponed, because the subject matter in said bill is contained in another bill on which this committee has reported favorable.

Report concurred in.

Senators Magee and Thompson, of Huntington, were granted leave of absence.

Senator Holland granted leave of absence for three days.

Senator Jackson, chairman of the Committee on County and Township Business, offered the following report on Senate Bill No. 56:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 56, introduced by Senator Clemans, beg leave to report the same back with the following amendments, to-wit:

Amend section 1, by striking out the word "rate" in line 8 and insert in lieu thereof the word "amount." Also, by striking out the words "fifty per cent. of" in same line.

And when so amended that the bill do pass.

Ordered printed.

Senate Bill No. 39, together with the report of the committee thereon, was read a second time.

Senator Akin moved to non-concur in the report of the committee.

The motion was lost.

The question recurring on the adoption of the report of the committee.

Senator Grimes moved to concur in the report of the committee.

Senator Boyd moved that the report and bill lie upon the table.

Which motion was adopted.

Senate Bill No. 46, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

And the bill was ordered engrossed.

Senator Shockney was granted leave of absence on account of sickness.

Senator Byrd, chairman of Committee on Benevolent and Reformatory Institutions, made the following report on Senate Bill No. 76.

MR. PRESIDENT:

Your Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 76, introduced by Senator Magee, having had the same under consideration, recommend that said bill do pass.

Senator Byrd, chairman of Committee on Benevolent and Reformatory Institutions, also made the following report on Senate Bill No. 5.

MR. PRESIDENT:

Your Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 5, introduced by Senator Holcomb, having had the same under consideration, would report the same back with the recommendation that said bill be printed.

The bill was ordered printed.

Senator Byrd, chairman of Committee on Benevolent and Reformatory Institutions, also made the following report on Senate Bill No. 23:

MR. PRESIDENT:

Your Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 23, introduced by Senator Hayden, would recommend that the same be amended as follows, to-wit:

By striking out Section 1 of said bill and insert in lieu thereof the following:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That it shall be the duty of the Board of Trustees of the Indiana School for Feeble-Minded Youth to fix and determine the salaries of the Superintendent, Principal and Matron of said school, any of whom may be removed at any time by said Board of Trustees on the approval of the Governor: *Provided*, That the salary of the Superintendent shall

not exceed fifteen hundred dollars, the salary of the Principal shall not exceed seven hundred and fifty dollars, and the salary of the matron shall not exceed six hundred dollars.

And when so amended that the bill do pass.

Senator Byrd, chairman of the Committee on Benevolent and Reformatory Institutions, made the following report on Senate Bill No. 13:

MR. PRESIDENT:

Your Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 13, introduced by Senator Kerth, having had the same under consideration, would recommend that said bill be referred to the Committee on Finance.

The report of the committee was concurred in.

Senator Shanks, chairman of the Committee on Roads, made the following report on Senate Bill No. 68:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 68, introduced by Senator Loveland, beg leave to report the same back with the recommendation that the bill do pass.

Senator Shanks, chairman of the Committee on Roads, made the following report on Senate Bill No. 175:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 175, introduced by Senator Chandler, beg leave to report the same back with the recommendation that it do pass.

Senator Shanks, chairman of the same committee, also offered the following report on Senate Bill No. 174:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 174, introduced by Senator Boyd, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Senator Shanks, chairman of the Committee on Roads, made the following report on Senate Bill No. 81 :

MR. PRESIDENT :

Your Committee on Roads, to whom was referred Senate Bill No. 81, introduced by Senator Clemans, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report of the committee was concurred in.

Senator Shanks, chairman of the Committee on Roads, made the following report on Senate Bill No. 105 :

MR. PRESIDENT :

Your Committee on Roads, to whom was referred Senate Bill No. 105, introduced by Senator Shockney, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The bill, with the report, was ordered to lie upon the table.

On motion of Senator Ewing, Senate Bill No. 61 was referred to Committee on Phraseology.

Senator Gilman introduced Senate Bill No. 218, entitled :

A bill for an act providing for liens against real estate to parties furnishing labor or material for improvements thereon, prescribing Recorder's fees in connection therewith, and repealing all laws conflicting therewith.

Read first time and referred to Committee on Judiciary.

Senator Hayden introduced Senate Bill No. 219, entitled :

A bill for an act to authorize Common Councils of cities and Boards of Trustees of incorporated towns to license and regulate the business of pawnbroking, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hays introduced Senate Bill No. 220, entitled :

A bill for an act to apportion the State of Indiana into congressional districts for Representatives in Congress.

Read first time and referred to Committee on Congressional Apportionment.

Senator Kerth introduced Senate Bill No. 221, entitled :

A bill for an act to amend an act entitled an act supplemental to an act entitled an act providing for the incorporation of companies formed for the purpose of constructing bridges for railway or common roadway purposes, or both, over rivers and streams forming the boundaries of the State of Indiana, or a part thereof, approved March 2, 1875, being section 3564 of the Revised Statutes of Indiana, and to add sections thereto.

Read first time and referred to Committee on Cities and Towns.

Senator Loveland introduced Senate Bill No. 222, entitled :

A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith.

Read first time and referred to Committee on Legislative Apportionment.

Senator McGregor introduced Senate Bill No. 223, entitled :

A bill for an act prescribing the number of Trustees of the Indiana University and the manner of their election, and declaring an emergency.

Read first time and referred to Committee on Education :

Senator Mount introduced Senate Bill No. 224, entitled :

A bill for an act to prevent deception in the manufacture and sale of dairy products.

Read first time and referred to Committee on Agriculture :

Senator Griffith introduced Senate Bill No. 225, entitled :

A bill for an act to amend section two (2) of an act entitled "An act to provide for the crossing of railroads, the keeping in repair such crossings, and providing for the expenses thereof," approved March 7, 1873, the same being section three thousand nine hundred and five (3905) of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Senator Jackson introduced Senate Bill No. 226, entitled :

A bill for an act providing for collecting reports of births, deaths and marriages, requiring a burial permit, and fixing penalties for the violation of its provisions.

Read first time and referred to Committee on Public Health.

Senate Bill No. 1, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 84, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 179, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Hudson offered the following amendment to Senate Bill No. 179 :

MR. PRESIDENT :

I offer the following amendment :

Insert in line 16, section 1, after the word "act" the following: And owning and operating a street railroad within any city having a population of one hundred thousand and upwards, according to the last preceding United States census.

The amendment was adopted.

The bill as amended was ordered engrossed.

Senate Bill No. 125, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 126, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 74, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 159, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senator Byrd, chairman of the Committee on Benevolent and Reformatory Institutions, offered the following majority report on Senate Bill No. 59:

MR. PRESIDENT:

A majority of the Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 59, introduced by Senator Grose, having had the same under consideration, would recommend that said bill be indefinitely postponed.

GEO. A. BYRD,
Chairman.

THOMAS KERTH.

J. D. MORGAN.

MORGAN CHANDLER.

CHAS. T. AKIN.

Senator Hobson presented the following minority report on Senate Bill No. 59:

MR. PRESIDENT:

We, the undersigned, representing a minority of the Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 59, introduced by Senator Grose, beg leave to submit a report on said bill to the Senate, recommending that it do pass.

GEO. W. HOBSON.
O. CARVER.

Senator Byrd, chairman of the Committee on Benevolent and Reformatory Institutions, made the following report on Senate Bill No. 55:

MR. PRESIDENT:

Your Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 55, introduced by Senator Thompson, of Marion, having had the same under consideration, would report as follows: That all after the enacting clause be stricken out, and insert in lieu thereof the following:

That from and after the passage of this act each inmate of every insane asylum, both public and private, in the State of Indiana, shall be allowed to correspond with the Secretary of the Board of State Charities, to whom he or she may write when and whatever he or she desires, and over these letters to such persons there shall be no censorship exercised or allowed by any of the asylum officials or employes, but the post office rights of such inmates, so far as the Secretary of said Board of State Charities is concerned, shall be as free and unrestricted as are those of any other resident or citizen of the United States, and shall be under the protection of the same postal laws, and it shall be the duty of the Superintendent to furnish every such inmate, if requested so to do, with suitable material for writing, enclosing, sealing, stamping and mailing at least one letter a week, unless the inmate is otherwise furnished with such material, and all such letters shall be dropped by the writers thereof, accompanied by an attendant, when necessary, into a United States post office box, but the attendant shall in all cases see that such letters are directed to such Secretary, and if they are not so directed, they shall be subject to the censorship of the Superintendent.

SEC. 2. That it is hereby made the duty of the Superintendent to inform each inmate of every insane asylum in this State at least once every three months hereafter that he or she has the right to correspond with such Secretary of the Board of State Charities without censorship, and he shall at such time request such inmates to correspond with such Secretary as provided in this act, and all such letters addressed to such Secretary shall be promptly forwarded; and all letters bearing the name of the Secretary of said Board of State

Charities on the outside thereof shall be promptly delivered to the inmate addressed, and shall not be opened or read by any one else without the voluntary consent of the inmate to whom the same is addressed being first obtained.

SEC. 3. That any Superintendent, officer or employes of any asylum in this State, whether public or private, who neglects or refuses to comply with or wilfully and knowingly violates any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than five hundred dollars nor less than fifty dollars, to which may be added imprisonment in the county jail not more than sixty nor less than ten days, and shall thereafter be ineligible to any office or employment in any asylum in this State.

SEC. 4. That a printed copy of this act shall be framed within sixty days from its passage, and kept posted in every ward of every insane asylum, both public and private, in this State.

And the committee would respectfully recommend that the title to said bill be amended by striking out the words, "and to prevent sane persons being imprisoned in insane asylums," and that said substitute do pass.

Engrossed Senate Bill No. 31 was referred to Committee on Phraseology.

Engrossed Senate Bill No. 67 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Burke, Byrd, Chandler, Ewing, Francis, Gilman, Howard, Hubbell, Jackson, Kopelke, McGregor, McHugh, Thompson of Marion, and Thompson of Pulaski, White and Carroll. Total, 14.

Those voting in the negative were :

Senators Akin, Boyd, Carver, Caster, Clemans, Ellison, Foley, French, Fulk, Grimes, Grose, Hanley, Hayden, Hobson, Holcomb, Hudson, Jones, Kerth, Loveland, Morgan, Moore, Mount, Shanks, Smith and Sweeney. Total, 25.

So the bill failed to pass.

Senator Loveland moved to reconsider the vote just taken on Senate Bill No. 67.

Senator Akin moved to lay the motion to reconsider on the table.

On motion of Senator Loveland the Senate adjourned.

MONDAY AFTERNOON.

FEBRUARY 2, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

The question being on Senator Akin's motion to lay Senator Loveland's motion to reconsider the vote on Engrossed Senate Bill No. 67 on the table, the same prevailed.

Engrossed Senate Bill No. 35 was read a third time.

Senator Burke offered the following motion :

MR. PRESIDENT :

I move to refer Engrossed Senate Bill No. 35 to a committee of one, with instructions to amend the same by striking out the words "and each day's violation of this section shall constitute a separate offense," in line 17 of section 1.

The ayes and noes were demanded by Senators Hays and Loveland.

The roll was called, which resulted as follows :

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Foley, Francis, Griffith, Grimes, Hayden, Howard, Hudson, Jackson, Jones, Kerth, McHugh, Smith, Sweeney, Thompson of Marion, Thompson of Huntington. Total, 19.

Those voting in the negative were:

Senators Boyd, Carver, Caster, Clemans, Ewing, French, Fulk, Gilman, Grose, Hanley, Hays, Hobson, Holcomb, Hubbell, Kopelke, Loveland, Lynn, McGregor, Morgan, Moore, Mount, Shanks, Thompson of Pulaski, and Yaryan. Total, 24.

So the motion was lost.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Clemans, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Hanley, Hays, Hobson, Holcomb, Howard, Hubbell, Hobson, Jackson, Kerth, Kopelke, Loveland, Lynn, McGregor, Morgan, Moore, Mount, Shanks, Smith, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Yaryan. Total, 34.

Those voting in the negative were:

Senators Burke, Francis, Hayden, Jones, Sweeney, and Thompson of Marion. Total, 6.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed Senate Bill No. 112 was read a third time.

Senator Loveland offered the following motion:

MR. PRESIDENT:

I move that Senate Bill No. 112 be referred to a committee of one, with instructions to amend section 2 by adding thereto the following proviso:

Provided, That nothing in this section shall operate to prevent the use of nitro-glycerine or other explosives for shooting any well or wells from which the gas is procured.

The motion prevailed.

Senator Loveland was appointed as such committee.

Senator Loveland, as the special committee of one, offered the following report:

MR. PRESIDENT:

Your special committee, to whom was referred Senate Bill No. 112, report that section two of said bill has been amended by adding the proviso as follows:

“Provided, That nothing in this section shall operate to prevent the use of nitro-glycerine or other explosives for shooting any well or wells from which the gas is procured.”

Which report was concurred in.

Senator Burke offered the following motion:

MR. PRESIDENT:

I move to refer Engrossed Senate Bill No. 112 to a committee of one, with instructions to amend by adding the following proviso to section 3 of said bill:

“Provided, That nothing in this act shall be so construed as to prevent the transport or conduct of natural gas within the State of Indiana.”

Senator McHugh moved to reject Senator Burke's motion.

The motion prevailed.

Senator Burke moved to reconsider the vote just taken.

Which motion was lost.

So Senator Burke's amendment failed of adoption.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Byrd, Carver, Caster, Chandler, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hobson, Hudson, Loveland, McHugh, Moore, Mount, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 26.

Those voting in the negative were :

Senators Akin, Burke, Clemans, Ellison, Ewing, Hays, Holcomb, Howard, Hubbell, Jackson, Jones, Kerth, Kopelke, Lynn, McGregor, Morgan, and Wiggs. Total, 17.

So the bill passed.

Senator McHugh moved to amend the title by inserting after the words "natural gas" in the title the words "providing penalties for the violation thereof," in Senate Bill No. 112.

The motion prevailed.

The title as amended was ordered to stand as the title to the act.

Senator Ellison, chairman of Committee on Phraseology, made the following report on Engrossed Senate Bill No. 21 :

MR. PRESIDENT :

Your Committee on Phraseology, to whom was referred Engrossed Senate Bill No. 21 for amendment, have made the amendment by striking out the words "Section one," in line eight, on page one, and inserting the words "Section one" before the word "be" in line six on page first.

Report of committee concurred in.

Senators Harlan and Kopelke were granted indefinite leave of absence.

On motion of Senator Akin the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of State.

TUESDAY MORNING.

FEBRUARY 3, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by President Chase.

After the reading of a portion of the Journal, on motion of Senator McHugh the further reading of the same was dispensed with.

The following corrections were made in the Journal relating to the roll call on the passage of Senate Bill No. 112:

The vote of Senator Thompson of Pulaski was changed from "no" to "aye," and the vote of Senator Shanks, who was not present, was stricken from the roll call.

Senator Burke, chairman of the Committee on Judiciary, offered the following report on Senate Bill No. 6:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 6, introduced by Senator Hubbell, beg leave to report the same back to the Senate with the recommendation that the bill do pass.

Report of the committee was concurred in and the bill read a second time and ordered engrossed.

Senator Burke, chairman of the same committee, also offered the following report on Engrossed House Bill No. 278:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House Bill No. 278, introduced by Representative Kester, beg leave to report on said bill, recommending that the same be amended by striking out the words "acknowledgments legalized" after the word "emergency," line 7, page 1.

Also, by striking out the word "emergency" after the word "officer" in line 9, page 3, of said bill.

And when the same is so amended it do pass.

Senator Burke, chairman of the Committee on Judiciary, made the following report on Senate Bill No. 166:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 166, introduced by Senator Akin, beg leave to report the same back, with the recommendation that the bill be amended by adding after the word "sentence," in line 10, section 1, the words "and commit," and that when so amended the bill do pass.

Senator Burke, chairman of same committee, made the following report on Senate Bill No. 177:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 177, introduced by Senator Ewing, beg leave to submit their report on said bill, recommending that it do pass.

Senator Kerth, chairman of Committee on Cities and Towns, made the following report on Senate Bill No. 187:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 187, introduced by Senator Foley, have had the same under consideration, and beg leave to report that all after the enacting clause be stricken out, and the following bill be substituted therefor, and recommend that said bill as amended be printed.

An act to amend sections 1 and 11 of an act entitled "an act providing for a metropolitan police in all cities of twenty-nine thousand or more inhabitants, and for the appointment of a Board of Metropolitan Police Commissioners for such cities, and defining their duties, and prescribing their powers, providing for the appointment of officers, patrolmen and other members of the metropolitan police force of such cities by such board, and the manner of paying them for their services, and providing for the abolition of existing boards of police and police forces in such cities, and for the abolition of the office of City Marshal in such cities, and declaring an emergency." Reconsidered March 5, 1883, and again passed, notwithstanding the objection of the Governor, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That section 1 of an act entitled an act providing for a metropolitan police in all cities of twenty-nine thousand or more inhabitants, and for the appointment of a Board of Metropolitan Police Commissioners for such cities, and defining their duties and prescribing their powers, providing for the appointment of officers, patrolmen and other members of the metropolitan police force of such cities by such board, and the manner of paying them for their services, and providing for the abolition of existing boards of police and police forces in such cities, and for the abolition of the office of City Marshal in such cities, and declaring an emergency. Reconsidered March 5, 1883, and again passed, notwithstanding the objection of the Governor, be and the same is hereby amended to read as follows, viz. :

Section 1. That in all cities having an enumeration of children between the ages of six and twenty-one years, of fourteen thousand and over, as shown by the official returns of such enumeration made by the several County Superintendents of this State to the Superintendent of Public Instruction for the year 1890, there shall be established within and for said cities a Board of Metropolitan Police to consist of three Commissioners, to be appointed by the Governor, Secretary and Auditor of State, or a majority of them. The said Commissioners to be appointed shall be of good moral character, sober and discreet, who are citizens of the State of Indiana, and shall have resided in said city at least five years next preceding their appointment, no more than two of whom shall be of the same political party; one of said Commissioners to serve until the first Tuesday of January, 1892, one to serve until the first Tuesday of January, 1893, and one to serve until the first Tuesday of January, 1894, and the term of their successors to be for three years, and each of said Commissioners shall be subject to removal by the Governor, Secretary and Auditor of State, or a majority of them. Before entering upon their duties they shall each take and subscribe an oath of office before the Clerk of the Circuit Court of the county within which such city is located, and shall also take and subscribe before such Clerk the further oath or affirmation that in any and every appointment or removal to be by them made to or from the police force created and to be organized by them under this

act, they shall in no case and under no pretext appoint or remove any policeman, officer of police or other person because of any political feeling held by such policeman, officer or other person, or for any other cause or reason than fitness or unfitness of such person in the best judgment of said Commissioners for the place to which he shall be appointed, or from which he may be removed, and the said oath shall be recorded and placed among the records of said Court. Said Commissioners shall each give bond in the penal sum of five thousand dollars, payable to the State of Indiana, conditioned for the faithful and honest discharge of their duties, which bond shall be approved by the Governor, Secretary and Auditor of State, or a majority of them. The salary of the Board of Metropolitan Commissioners of such cities shall be fixed by the Governor, Secretary and Auditor of State, or a majority of them, which salary shall not exceed six hundred each per annum, payable monthly out of the Treasury of such cities.

SEC. 2. That Section 11 of said above entitled act be, and the same is hereby amended to read as follows, viz.:

The Commissioners, whenever it shall seem to them discreet, may, on the application of any person or persons, showing the necessity thereof, appoint and swear in any number of additional patrolmen to do duty at any place within said city, at the charge and expense of the person or persons by whom the application may be made, and the patrolman so appointed shall perform duty only at the place designated by said Commissioners. They shall continue in office, at the pleasure of said Commissioners, for a term not exceeding one year, shall be subject to and obey the orders, rules and regulations of said Commissioners and conform to the general discipline of the police force of such city, and to such special regulations as may be made by such Commissioners for their government, and the persons so appointed may be removed at any time by the Commissioners. The Commissioners may, upon emergency, with the written consent of the Governor, Secretary and Auditor of State, or a majority of them, and the Mayor of said city, appoint such number of special patrolmen as they may deem advisable; but such special patrolmen shall serve for not exceeding seven consecutive days unless their employment for a longer period

shall be approved of by the Board of Police Commissioners of such city. And the said special patrolmen shall be paid in the same manner as hereinbefore provided for the regular force.

SEC. 3. Whereas, an emergency exists for the immediate taking effect of this act, therefore, the same shall be in force from and after its passage.

Senator Mount offered the following memorial:

To the Honorable Members of the Legislature of the State of Indiana from the County of Marion:

WHEREAS, A gross and palpable injustice is being committed under the existing law for the distribution of the State's school revenues, by giving to each pupil enrolled in the city schools of our State from \$2.50 to \$4 more than is given to each pupil enrolled in the schools of the counties, we, the undersigned, citizens of Lawrence Township, Marion County, Indiana, hereby petition you to introduce and pass, or to lend your aid to the introduction and passage of such a law or laws as will secure a just and equitable distribution of the State's school revenue.

Signed: W. S. ANDERSON,
And 1,000 others.

Referred to Committee on Education.

Senator Mount also offered the following memorial from the Marion County Alliance:

Resolved, That the Marion County Farmers' Alliance are opposed to the McCullough Fee and Salary Bill, so far as it pertains to the officers of Marion County, State of Indiana, as being exorbitant.

ALBERT HANKINGSMITH,
President.

WALLACE MAINS,
Secretary.

January 31, 1891.

By request was referred to the Committee on Fees and Salaries.

Senator Mount also offered the following resolution from the Marion County Alliance:

Resolved, That the Marion County Farmers' Alliance indorse the memorial from State Alliance, Federation of Labor, State Grange, F. M. B. A., K. of L., State Federation, as presented to the House and Senate by the committee of said organizations.

ALBERT HANKINGSMITH,
President.

WALLACE MAINS,
Secretary.

January 31, 1891.

By request referred to the Committee on Agriculture.

Senator Sweeney, chairman of the Committee on Corporations, made the following report on Senate Bill No. 201:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 201, introduced by Senator Byrd, have had the same under consideration and beg leave to report same back with the recommendation that it do pass.

The report of the committee was concurred in.

Senator Byrd moved that the Constitutional Rule be suspended and that the bill be read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being on the suspension of the Constitutional Rules.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hanley, Hayden, Hobson, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Wiggs and Yaryan. Total, 35.

Senator Burke voting in the negative.

So the Constitutional Rule was suspended.

The bill was read a second time by title and considered engrossed, a third time by sections and put upon its passage:

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Grimes, Grose, Hanley, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 39.

No Senator voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Shockney presented the following memorial:

To the General Assembly of the State of Indiana:

WHEREAS, The salaries of public officers should be a fair compensation for services rendered, and should not be more than private persons usually obtain in similar services, therefore, we, the undersigned citizens of Indiana, would respectfully demand of your honorable body the enactment of such a law on fees and salaries as will best serve the purposes herein stated, and based upon this principle. We demand the passage of a law compelling all public and legal printing to be let to the lowest responsible bidder. We demand the passage of a law forbidding people who live in an incorporated town or city to hold the office of Township Trustee, or vote for the same. We demand the repeal of the present law of apportioning the State school revenue, and demand the passage of a law whereby the apportionment be made on the actual attendance as reported by the teachers of public schools.

WHEREAS, We recognize that education is one of the safeguards of our Republic, therefore: We demand a compulsory

educational law whereby parents and guardians shall be compelled to send their children to school at least three months in each year, to a regularly licensed teacher of the county.

Resolved, That we are unalterably opposed to the liquor traffic.

Signed by: H. KRANSRAUER,
and 1,400 hundred others.

Referred without reading to the Committee on Agriculture.

Senate Bill No. 39, together with the report of the committee thereon, was read a second time.

Senator Byrd moved to concur in the report of the committee.

Senator Moore moved to reconsider the vote taken yesterday on the non-concurrence in the report of the committee.

Senator Burke moved that the further consideration of Senate Bill No. 39 be indefinitely postponed.

On motion of Senator Burke, the Senate adjourned.

TUESDAY AFTERNOON.

FEBRUARY 3, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

The question being on the indefinite postponement of Senate Bill No. 39.

Senator Burke's motion prevailed.

Senator Ellison, chairman of the Committee on Phraseology, offered the following report on Engrossed Senate Bill No. 179:

MR. PRESIDENT:

Your Committee on Phraseology, to whom was referred Engrossed Senate Bill No. 179, introduced by Senator Hudson, for amendment recommend that the word "owing," in line 18, on page 3, be struck out, and the word "owning" be inserted in lieu thereof.

The report was concurred in.

Senator Ellison, chairman of the Committee on Phraseology, made the following report on Senate Bill No. 61:

MR. PRESIDENT:

Your Committee on Phraseology, to whom was referred Senate Bill No. 61 for amendment, have made the following amendments to the bill by inserting the following words after the word "shall" in line 18 on page 7: "Be elected for a term of one year and who shall," and in line 6 on page 11, by striking out the figure 8 and inserting in lieu thereof the figure 13, and in line 10 on page 14, by inserting the word "and" after the word "trade," and inserting the word "Association" after the word stock-breeders in line 10 on page 14, and inserting the words "Section 19" before the word "the" in line 19 on page 19, and by striking out the words "Section 19" in line 8 on page 20, and inserting in lieu thereof the words "Section 20," and by striking out the words "Section 20" in line 11 on page 20, and inserting in lieu thereof the words "Section 21."

The report of the committee was concurred in.

Senator Ellison, chairman of the same committee, also offered the following report on Engrossed Senate Bill No. 21:

MR. PRESIDENT:

Your Committee on Phraseology, to whom was referred Engrossed Senate Bill No. 21 for amendment, have amended the bill by striking out the words "section 1" in line 8 on page 1, and inserting the words "section 1" before the word "be" in line 6 of page 1; also to further amend said bill by striking out all words in line 3 of page 2 after the word "cost;" also strike out lines 4, 5, 6, 7 and 8 of said page 2, and insert in place thereof the following words: "Of such street improvements to be assessed upon the lots or parts of lots fronting and abutting upon said street, or portion of said street to be improved, to be apportioned among said lots or parts of lots in proportion to the number of front feet of each lot or part of lot fronting or abutting on said improvement."

The report was concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 254, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 152, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 188, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 344, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 362, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senator Boyd offered the following resolution :

MR. PRESIDENT :

WHEREAS, The following article appeared in the Indianapolis Journal last Thursday, January 29, 1891 :

A THRIFTY PHYSICIAN—HE TRIES TO INCREASE HIS STATE SALARY
BY CHARGING A FEE FOR A DEATH CERTIFICATE.

[Special to the Indianapolis Journal.]

NOBLESVILLE, IND., Jan. 28.—By what color of right can a physician, who is employed and paid by the State at the Central Hospital for Insane, demand or extort from the widow of a deceased patient of that institution a fee of \$10 for a certificate as to the cause of the death? This inquiry is based on the following state of facts: A citizen of this county recently died an inmate of the asylum referred to, leaving a widow, a resident of this county. The deceased carried a life insurance policy, which the widow placed in the hands of her attorneys for collection. The insurance company required a certificate of the attending physician as to date and cause of death. The attorneys forwarded a blank to the hospital authorities with a request that it be filled and returned, and offered to pay all charges incurred. The certificate wanted was very simple, and would require not to exceed five minutes time to make. Nearly all the questions were to be answered either "yes" or "no," thus requiring no special medical skill to make out. In lieu of the certificate wanted the attorneys were surprised to receive the following answer:

HOSPITAL FOR INDIANA,

INDIANAPOLIS, January 1, 1891.

——— and ———, Attorneys at Law, Noblesville, Ind.:

DEAR SIRS—My charges will be \$10 in the case of Charles W. Fisher.

Respectfully,

—————, M. D.

The M. D. retained the blank sent him, and, so far as known, still has the same. It will be noticed that nothing is said about expenses incurred, but that "my charges will be \$10," thus attempting to extort from the widow the sum of \$10 for five minutes' work, and that, too, for the time for which he is paid

a salary by the State. The matter was explained to the insurance people, and they were so disgusted with the mercenary demand of the M. D. that they waived the certificate rather than compel the widow to meet the demand.

WHEREAS, The people of Hamilton County are indignant over the attempt to extort money from the unfortunate widow; therefore, be it

Resolved, That the Committee on Benevolent Institutions be directed by this Senate to investigate the charges in said Journal article and report the facts to this Senate.

Senator Burke moved that the resolution be referred to the Committee on Benevolent and Reformatory Institutions.

Which motion was adopted.

Engrossed House Bill No. 362, entitled :

A bill for an act amending section number sixty-five (65) of an act entitled, "An act providing for the settlement and distribution of decedents' estate," approved April 14, 1881, (being section 2289 of the Revised Statutes of 1881), declaring an emergency.

Read the first time.

Senator Burke moved that the Constitutional Rule be suspended, and the bill be read a second time by title, a third time by sections, and put upon its passage. •

The question being on the suspension of the rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Wiggs and Yaryan. Total, 42.

No Senator voting in the negative.

So the Constitutional Rule was suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 46.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 84 was read a third time.

Senator Hubbell offered the following motion:

MR. PRESIDENT:

I move to refer Senate Bill No. 84 to a special committee of one, with instructions to amend as follows:

To insert before the word "excepting" in line 3, page 4, the word "and." Also, by inserting after the word "excepting" in line 3, page 4, the word "also," and by striking out the words "one thousand" in line 5 of page 5, and inserting in lieu thereof the words "five hundred," and by inserting after the word "days" in line 1, page 5, the following words: "*Provided, That where the amount in controversy exceeds two hundred dollars the service shall be ten days.*"

The motion prevailed, and Senator Hubbell was appointed as such special committee.

Senator Hubbell, as the special committee of one, offered the following report :

MR. PRESIDENT :

Your special committee of one, to whom was referred Senate Bill No. 84, reports that the same has been amended as instructed, to wit :

By inserting before the word "excepting," in line 3 of page 4, the word "and." Also, by inserting after the word "excepting," in line 3 of page 4, the word "also," and by striking out the words "one thousand," in line 5 of page 5, and inserting in lieu thereof the words "five hundred," and by inserting after the word "days," in line 1, page 5, the following words: *Provided*, That when the amount in controversy exceeds two hundred dollars the service shall be ten days.

The report was concurred in.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Caster, Clemans, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Howard, Hubbell, Hudson, Jackson, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shockney, Smith, Sweeney, Wiggs, Yaryan. Total, 37.

Those voting in the negative were :

Senators Akin, Chandler, Jones, Thompson of Marion. Total, 4.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Shockney introduced Senate Bill No. 227, entitled :

A bill for an act giving jurisdiction to Justices of the Peace, and to the Circuit and Criminal Courts and the Judges thereof respectively, when said Courts are not in session, to investigate the commission of criminal offenses, and prescribing the duties of the Prosecuting Attorney in reference thereto, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hubbell was granted leave of absence for to-morrow and next day.

The Committee on Education was granted leave of absence for to-morrow to visit Indiana University, at Bloomington, and also for Friday to visit the State Normal School, at Terre Haute.

Engrossed Senate Bill No. 153 was read a third time.

Senator Moore offered the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 153 be referred to a special committee of one to amend as follows: Strike out "Section 14" and insert in lieu thereof "Section 1"; also, strike out "Commissioners are directors—Powers—Payment for material."

The motion prevailed, and Senator Moore was appointed as such special committee.

Senator Moore, as the special committee of one, offered the following report :

MR. PRESIDENT :

Your special committee appointed to amend Engrossed Senate Bill No. 153, report that amendments are made as directed.

The report was concurred in.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hays, Hobson, Holcomb, Howard, Hudson, McHugh, Jackson, Jones, Kennedy, Kerth, McGregor, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs, and Yaryan. Total, 36.

Senator Chandler voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 157 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Loveland, McHugh, Morgan, Mount, Shanks, Shockney, Sweeney, Thompson of Huntington, Wiggs and Yaryan. Total, 37.

Senator Chandler voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 208, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Principal Clerk.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 296, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Principal Clerk.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 88, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 55, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 173, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 187, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Engrossed Senate Bill No. 61 was read a third time.

Senator Hudson, by request, offered the following substitute:

A bill for an act to amend section 6 of an act entitled "An act for the encouragement of agriculture," approved February 17, 1852, and being designated as section 2616 of the Revised Statutes of 1881; also to amend section 2 of an act entitled "An act for the encouragement of agriculture," and authorizing the State Board of Agriculture to purchase, hold and sell real estate; legalizing the purchase by said Board of certain lands in Marion County; exempting the property of said Board from taxation; authorizing the County Treasurer of Marion County and the Treasurer of the State to refund certain taxes, and making an annual appropriation for the use of said Board, approved March 3, 1865, and being designated as section 2620 of the Revised Statutes of 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That section 6 of the above entitled act be amended to read as follows:

SEC. 6. There shall be held in the city of Indianapolis, on the first Tuesday after the first Monday in January, annually, a meeting of the Indiana State Board of Agriculture, together with the Presidents or delegates of county and district agricultural societies; the Indiana Swine Breeders' Association, the Indiana Horse Breeders' Association, The Indiana Short Horn Breeders' Association, the Indiana Jersey Cattle Breeders' Association, the Indiana Dairymen's Association, the Indiana Poultry Breeders' Association, the Indiana Cane Growers' Association, the Indiana Wool Growers' Association, the Indiana Bee Keepers' Association, the Indiana Tile Makers' Association, the Indiana Florists' Association, the Indiana Horticultural Society, and the Indianapolis Board of Trade; and the said Presidents and delegates shall, at this meeting, elect suitable persons to fill all vacancies in said Board: *Provided, however*, That said election shall not affect the members of the Board present, whose term shall not be considered to expire until the last day of said session: *And be it further provided*, That no member shall hold office more than four (4) years in any period of eight (8) years.

Be it further enacted by the General Assembly of the State of Indiana, That section two (2) of the above entitled act be amended to read as follows:

SEC. 2. That the purchase of real estate made by said Board, A. D. 1860, of William A. Otis and others, consisting of thirty-six acres of the northwest quarter of section thirty-six, township sixteen, range three, in Marion County, are hereby ratified and confirmed; and the said Board is empowered to hold the same for the general objects of the Board: *Provided*, That nothing herein contained shall authorize said Board to hold more than one hundred and sixty acres.

SEC. 3. An emergency existing for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

Senator Boyd moved to adjourn.

The ayes and noes being demanded by Senators Ewing and Burke.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Grimes, Grose, Hanley, Harlan and Mount.
Total, 6.

Those voting in the negative were :

Senators Akin, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Wiggs.
Total, 36.

So the motion to adjourn was lost.

Senator Burke raised the point of order that no substitute can be offered for an engrossed bill.

The Chair sustained the point of order.

Senator Byrd made the following motion :

MR. PRESIDENT :

I move to refer the bill to a special committee of one, with instructions to amend Section 15 by striking out of line four the words "one hundred and sixty," and the figures (160), and insert in lieu thereof the words "two hundred and fifty" and the figures (250).

The motion carried, and Senator Byrd appointed as such committee.

Senator Byrd, as the committee of one, offered the following report :

MR. PRESIDENT :

Your committee of one, to whom was referred Senate Bill No. 61 for amendment, reports that he has amended the bill as directed.

The report was concurred in.

Senator Hays offered the following motion :

MR. PRESIDENT :

I move to refer Engrossed Senate Bill No. 61 to a special committee of one to amend by striking out all after the enacting clause, and inserting the following: (See the substitute heretofore offered by Senator Hudson.)

Senator Boyd moved that the further consideration of Senate Bill No. 61 be deferred until 10 A. M., to-morrow.

The ayes and noes being demanded by Senators Ewing and McHugh.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Carver, Caster, Clemans, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Hudson, Jackson, Loveland, Lynn, McGregor, Moore, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Wiggs, and Yaryan. Total, 29.

Those voting in the negative were :

Senators Akin, Chandler, Ewing, Foley, Francis, Holcomb, Howard, Jones, Kennedy, Kerth, McHugh, Morgan and Smith.

So the motion prevailed.

Senator Yaryan introduced Senate Bill No. 228, entitled :

A bill to amend section 2000 of the Revised Statutes of 1881, to regulate or prevent Sabbath breaking.

Read first time and referred to the Committee on Judiciary.

Senator Thompson, of Marion, moved that the Senate adjourn.

The ayes and noes being demanded by Senators Burke and Byrd.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Caster, Foley, French, Grose, Hanley, Harlan, Hays, Hobson, Jackson, Loveland, Moore, Mount, Sweeney, Thompson of Marion, Thompson of Pulaski. Total, 16.

Those voting in the negative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Fulk, Gilman, Hayden, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Lyun, McHugh, Morgan, Shanks, Wiggs and Yaryan. Total, 21.

So the motion to adjourn was lost.

Engrossed House Bill No. 188, entitled :

A bill for an act appropriating fifteen hundred and fifty dollars and ninety-five cents to pay the claim of Laakman & Scheerer on account of contract for paving with cement the sidewalks around the Military Park in the city of Indianapolis, and declaring an emergency.

Read first time and referred to Committee on Claims.

Senator Boyd moved that the further reading of House Bills be suspended and the roll be called for the introduction of bills.

The motion did not prevail.

Engrossed House Bill No. 254, entitled :

An act concerning the cutting of hedges or other live fence along highways within the State of Indiana, providing penalties for the violation thereof, repealing all laws or parts of laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Roads.

Engrossed House Bill No. 173, entitled :

An act to prevent the adulteration of candy and the sale of adulterated candy, and providing penalties, and declaring an emergency.

Read first time and referred to the Committee on Public Health.

Engrossed House Bill No. 344, entitled :

A bill for an act defining the Eleventh Judicial Circuit of the State of Indiana, and defining the judicial year in said circuit and fixing the time for the holding of courts therein, and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

Engrossed House Bill No. 152, entitled :

A bill for an act entitled, an act for the protection of sorghum industry within the borders of the State of Indiana.

Read first time and referred to Committee on Agriculture.

Engrossed House Bill No. 187, entitled :

A bill for an act appropriating two thousand and ninety-six dollars to pay the claims of Fred Laakman on account of contract for paving with cement the sidewalks on the west and north sides of the State House in the city of Indianapolis, and declaring an emergency.

Read first time and referred to Committee on Claims.

Engrossed House Bill No. 88, entitled :

A bill for an act entitled, "An act to amend section 85 of an act entitled, an act concerning public offenses and their punishment," approved April 14, 1881, (incorporated in the Revised Statutes of 1881 as section 1990), and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 296, entitled :

An act to compel Trustees, Boards, Superintendents, Wardens, Managers, Stewards of the Penal, Reformatory, Charitable and Benevolent Institutions to purchase native live stock for food consumption.

Read first time and referred to Committee on Agriculture.

Engrossed House Bill No. 55, entitled :

A bill for an act to amend section 1 of an act entitled "An act regulating the indebtedness of counties having a voting population of over twenty thousand as shown by the votes cast for Governor at the last preceding election, authorizing the funding of indebtedness of such counties in bonds in certain cases; prohibiting the creation of county debt except as therein authorized, and prescribing the kind and amount that may be created, limiting the amount of taxes that may be levied by the Board of County Commissioners, prescribing penalties for certain violations of this act, and repealing all laws in conflict therewith, and declaring an emergency, approved March 7, 1879," the same being section 5816 of the Revised Statutes of 1881.

Read first time and referred to Committee on County and Township Business.

Senator Fulk, chairman of Committee on Organization of Courts, made the following report on Senate Bill No. 28:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 28, respectfully recommend that all of said bill after the enacting clause be stricken out, and the following be inserted in lieu thereof, and that when so amended the bill do pass.

R. A. FULK,
Chairman.

I do not concur in the report of the committee, and I recommend that the bill do not pass.

THOMAS E. BOYD,
Hamilton and Tipton.

An Appellate Court is hereby created. The name of said court shall be the Appellate Court. It shall consist of five judges, and have exclusive jurisdiction of all appeals from the Circuit, Superior and Criminal Courts in cases of misdemeanors, cases originating before a Justice of the Peace, where the amount in controversy exceeds fifty dollars (\$50), exclusive of costs; all cases for the recovery of money only where the

amount in controversy does not exceed one thousand dollars (\$1,000), and all cases for the recovery of specific personal property; actions between landlord and tenant for the recovery of the possession of the leased premises, and in all cases of appeals from orders allowing or disallowing claims against decedents' estates. In all such cases the decision of the Appellate Court shall be final: *Provided, however,* That if the validity of a statute of this State, or the United States, is involved, said court shall so certify, and thereupon the transcript and all papers in such causes shall be transmitted to the Supreme Court, with such certificate, and filed therein, and all proceedings conducted thereafter as if said cause had been originally appealed to the Supreme Court.

SEC. 2: Upon the taking effect of this act, the Governor shall appoint the first judges of said court, not more than three of whom shall belong to the same political party, choosing one from each of the districts hereinafter named, to serve until judges for said court shall be elected and qualified. Whenever, for any cause, a vacancy shall occur in any judgeship of said court, the Governor shall appoint and commission a person to fill such vacancy.

SEC. 3. The term of office for such Judges shall be four years, beginning on the first day of January next following their election. Those appointed by the Governor shall serve until the first day of January after the next general election, and until their successors are elected and qualified. The legal voters of the State shall, at the next general election, elect their successors. The Judges shall be and remain residents of the districts from which they are elected or appointed.

SEC. 4. The State is divided into five Appellate districts, in each of which one of the Judges, and no more, shall be a resident, and the counties of Monroe, Owen, Clay, Parke, Morgan, Sullivan, Vigo, Greene, Knox, Daviess, Martin, Dubois, Pike, Gibson, Posey, Vanderburg, Warrick, Spencer, Perry and Orange shall constitute the First District.

The counties of Ohio, Rush, Switzerland, Dearborn, Shelby, Brown, Lawrence, Crawford, Harrison, Floyd, Clark, Scott, Jefferson, Ripley, Decatur, Bartholomew, Jackson, Washington and Jennings shall constitute the Second District.

The counties of Tippecanoe, White, Johnson, Warren, Fountain, Montgomery, Clinton, Boone, Tipton, Hamilton, Marion, Vermillion, Putnam and Hendricks shall constitute the Third District.

The counties of Allen, Whitley, Huntington, Wells, Adams, Grant, Blackford, Delaware, Randolph, Jay, Howard, Madison, Hancock, Henry, Wayne, Fayette, Union and Franklin shall constitute the Fourth District.

The counties of Lake, Benton, Porter, Laporte, St. Joseph, Elkhart, Kosciusko, Marshall, Starke, Jasper, Newton, Pulaski, Fulton, Wabash, Miami, Cass, Carroll, Lagrange, Steuben, Dekalb and Noble shall constitute the Fifth District.

SEC. 5. No person shall be a Judge of said Court unless he be a citizen of the United States, a lawyer in good standing, a resident of the State for at least five (5) years preceding his election or appointment, a voter, and at least thirty (30) years of age.

SEC. 6. The Clerk and Sheriff of the Supreme Court shall be Clerk and Sheriff, respectively, of the Appellate Court.

SEC. 7. Said Court shall have a seal, to be provided by the Secretary of State at the expense of the State, having such device as the Secretary shall determine and on the face thereof the title of the Court.

SEC. 8. The Clerk shall receive for his services such fees as may be allowed to the Clerk of the Supreme Court for like services, to be taxed as costs and collected in the same manner.

SEC. 9. All process, rules and orders of said Court shall be executed and served by the Sheriff of the county to which the same shall be directed, and said Sheriff shall be entitled to the fees allowed by law at the time for like service of process, rule or orders issuing from the Supreme Court.

SEC. 10. Said Court shall be a Court of record, and shall have all the powers of the Supreme Court to punish for contempt of its authority, and to enforce its judgment and orders, which judgments shall be liens, as are judgments of the Supreme Court.

SEC. 11. The Auditor of State shall provide rooms for the use of said Judges and said Court in Indianapolis, and said Court shall have power to provide the necessary furniture for the same, and stationery and things proper for the transaction of its business, at the expense of the State, and to make allowances therefor, to be audited and paid out of the State Treasury, upon presentation of the order of allowance, and shall have access to and use the law library of the Supreme Court equally with the Judges of the Supreme Court.

SEC. 12. Appeals to said court shall be taken in the manner and with the effect and subject to the same limitations and restrictions provided by law in cases of appeals to the Supreme Court, and said court and Judges thereof in vacation or recess, shall have the authority possessed by the Supreme Court or the Judges thereof in vacation or recess, to stay proceedings, issue injunctions and mandates, and to do other acts and things in aid of the exercise of its jurisdiction or to enforce its judgments or orders. The pleading and practice and proceedings in cases appealed to said court shall be the same as provided by the Supreme Court, so far as the same are applicable and not inconsistent with this act.

SEC. 13. In every case reversed an opinion shall be given upon the material questions therein in writing, stating the reasons, and judgment shall be entered with directions therein, to the lower court, as required of the Supreme Court in such cases, and the opinion and judgment shall be certified to the court below. Judgments of affirmance shall likewise be so certified to the court below. The judgment of the Appellate Court, so certified, shall have the effect pertaining to a like judgment of the Supreme Court.

SEC. 14. A re-hearing may be prayed in any cause in said Appellate Court within the time allowed therefor by the Supreme Court, and may be granted for sufficient cause, and the judgment of the Appellate Court shall not be certified to the court below until after the expiration of the time allowed for the petition for a re-hearing, unless such re-hearing be waived in writing.

SEC. 15. The Chief Justice of the Supreme Court, as soon as may be, shall convene the Judges of the Appellate Court, and they shall frame uniform rules of practice for the Appellate Court in all matters not provided by law.

SEC. 16. The Judges of the Appellate Court shall severally receive an annual salary of four thousand dollars (\$4,000), payable quarterly, as the salaries of other State officers are paid, out of the State Treasury.

SEC. 17. The Judges of the Appellate Court shall be competent to sit as Judges of the Circuit, Superior and Criminal Courts.

SEC. 18. Such Judges at each term shall choose one of their number Chief Judge, who shall preside at the consultation of such Judges and in court, but no Judge shall be chosen to preside at two terms consecutively, nor until the other Judges have each presided one term.

SEC. 19. Said Court shall meet as soon after the taking effect of this act as may be to organize said Court, and make such orders as shall be necessary to put the Court in operation. When the Appellate Court shall be organized and ready to proceed with business, the Supreme Court shall, by an order entered upon its record, transfer to it all cases then pending in such Supreme Court of the nature and description of those of which jurisdiction is by this act given to said Appellate Court, except any such case as a Judge of said Appellate Court may be incompetent to sit in, as hereinafter provided in section 21, and the said Appellate Court shall take jurisdiction thereof, and dispose of the same as if they had been appealed to such Appellate Court, and the action of said Appellate Court shall have the same force and effect in all respects as if the said causes had been heard and disposed of by the Supreme Court.

SEC. 20. The terms of said Court shall begin on the fourth Mondays of May and November of each year, and the Court shall sit as long as the business before it shall require; but whenever in vacation or recess, and so often as the prompt dispatch of causes shall require, the Court shall convene on the call of the Chief Judge.

SEC. 21. If any Judge shall be kin to a party, or interested in a cause, or shall have been counsel therein, or the Judge who rendered the decision below, he shall not sit therein, and in case of a tie of the other Judges the case shall be certified to the Supreme Court and there decided as if originally appealed thereto. In all cases a concurrence of three of the

Judges shall be necessary and sufficient to decide a cause, and to make any order or certificate of said Court.

SEC. 22. The hearing and argument of causes in said Court shall be in accordance with the rules of the Supreme Court as to hearing and argument, or in accordance with such rules as said Appellate Court may adopt.

SEC. 23. When in said Appellate Court new and important questions shall be decided and an opinion filed the Court shall direct the opinions to be published with the opinions of the Supreme Court, and the Reporter of said Supreme Court shall then, and then only, as part of his official duties, incorporate such opinions with the decisions of the Supreme Court and in the same volume of Reports.

SEC. 24. There shall be taxed as costs in each case a docket fee of four dollars, which, when paid, shall be paid into the State Treasury.

SEC. 25. In any case wherein an appeal has been taken from a lower court to the Appellate Court, and the same should have been taken to the Supreme Court, it shall be the duty of the Appellate Court, on its own motion, to cause such case to be transferred to the Supreme Court, and in any cause where an appeal has been taken to the Supreme Court when it should have been to the Appellate Court, it shall be the duty of the Supreme Court, of its own motion, to cause such case to be transferred to the Appellate Court; and the action of each of said courts in making such transfers shall be final. If any cause appealed to the Appellate Court shall not have been taken up for consideration within one year after its submission, it shall, on motion of either party, be certified by the Court, together with the record and all papers and entries, to the Supreme Court, and all subsequent proceedings shall be had in the latter Court as if said cause were originally appealed and submitted thereto.

SEC. 26. Inasmuch as there is a pressing demand for some measure for the relief of the Supreme Court, an emergency is hereby declared to exist, and this act shall take effect from and after its passage.

Senator Hobson introduced Senate Bill No. 229, entitled :

A bill for an act for the encouragement of lifetime convicts confined in the State Prisons of Indiana and the Reform School for Girls and Women's Prison, and providing that thirty years shall constitute a lifetime sentence in the State Prisons of Indiana or the Reform School for Girls and Women's Prison, and declaring an emergency.

Read first time and referred to Committee on State Prisons.

Senator Hayden moved to adjourn.

The ayes and noes being demanded by Senators Burke and Ewing.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Carver, Foley, French, Hayden, Hays, Holcomb, Jackson, Jones, Loveland, Morgan, Moore, Thompson of Marion, Thompson of Huntington and Wells, and Yaryan. Total, 14.

Those voting in the negative were :

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Fulk, Gilman, Griffith, Hanley, Harlan, Hobson, Howard, Hudson, Kennedy, Kerth, Lynn, McGregor, McHugh, Mount, Shanks, Shockney, Smith, Sweeney and Wiggs. Total, 28.

So the motion was lost.

Senator Byrd moved to suspend the regular order of business and to call the roll for the introduction of bills.

Which motion prevailed.

Senator Jones moved to adjourn.

The ayes and noes being demanded by Senators Burke and Boyd.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Clemans, French, Grose, Harlan, Hayden, Jones, Kerth, Morgan, Thompson of Huntington, and Wiggs. Total, 10.

Those voting in the negative were :

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Ellison, Ewing, Foley, Fulk, Gilman, Griffith, Hanley, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Kennedy, Loveland, Lynn, McGregor, McHugh, Moore, Mount, Shanks, Shockney, Smith, Sweeney. Total, 30.

So the motion to adjourn did not prevail.

Senator Boyd introduced Senate Bill No. 230, entitled :

A bill for an act to amend section 11 of an act entitled "An act providing for the settlement and distribution of decedents' estates," approved April 14, 1881, the same being section 2227 of the Revised Statutes.

Read first time and referred to Committee on Judiciary.

Senator Burke introduced Senate Bill No. 231, by request, entitled :

A bill for an act to authorize the incorporation of title abstracts, title insurance, trust, agency, loan and collection companies.

Read first time and referred to Committee on Judiciary.

Senator Caster introduced Senate Bill No. 232, entitled :

A bill for an act providing for the appointment of the wives of husbands who have heretofore, or may hereafter, be adjudged to be persons of unsound mind, guardians of the person and estate of such insane husbands, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Clemans introduced Senate Bill No. 233, entitled :

A bill for an act to amend section 3 of an act entitled an act concerning drainage, prohibiting the obstructions of drains established under the laws of this State, prescribing the penalty therefor, and declaring an emergency, approved April 6, 1885.

Read first time and referred to Committee on Swamp Lands.

Senator Ellison, by request, introduced Senate Bill No. 234, entitled:

A bill for an act to amend section 61 of an act entitled, "an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867, the same being Section 3161 of the Revised Statutes of 1881, and providing for the appropriation of the lands and right of way of railroad companies in certain cases, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Ewing introduced Senate Bill No. 235, entitled:

A bill for an act concerning the incorporation of live stock insurance companies, defining their powers and prescribing their duties.

Read first time and referred to Committee on Insurance.

Senator Ewing introduced Senate Bill No. 236, entitled:

A bill for an act to amend Section 197 of an "an act concerning taxation," being Section 6466 of the Revised Statutes of 1881.

Read first time and referred to the Committee on Finance.

Senator Foley introduced Senate Bill No. 237, entitled:

A bill for an act to divide the State of Indiana into Congressional Districts.

Read first time and referred to the Committee on Congressional Apportionments.

Senator Foley introduced Senate Bill No. 238, entitled:

A bill for an act concerning the assessment of property for taxation, and declaring an emergency.

Read first time and referred to the Committee on City of Indianapolis.

Senator Foley introduced Senate Bill No. 239, entitled :

An act to amend section one of an act entitled "An act to amend section 108 of 'an act concerning taxation,' approved March 29, 1881, (section 6376, R. S. of 1881), and declaring an emergency," approved March 8, 1883, and declaring an emergency.

Read first time and referred to the Committee on Fees and Salaries.

Senator French introduced Senate Bill No. 240, entitled :

A bill for an act for the relief of David McWilliams, ex-deputy Treasurer of the County of Warrick, State of Indiana.

Read first time and referred to Committee on Claims.

Senator French introduced Senate Bill No. 241, entitled :

A bill for an act to amend sections 2, 3, 4 and 5 of an act entitled "An act concerning grand and petit jurors," approved April 15, 1881, and being designated as sections 1386, 1387, 1388 and 1389 of the Revised Statutes of 1881.

Read first time and referred to Committee on Organization of Courts.

Senator Griffith introduced Senate Bill No. 242, entitled :

A bill for an act to amend sections 9 and 16 of an act entitled "An act to enable the owners of lands to drain and reclaim them when the same can not be done without affecting the lands of others, prescribing the powers and duties of County Commissioners and other officers in the premises, and to provide for the repair and enlargement of such drains," approved April 21, 1881, same being sections 4293 and 4300 of the Revised Statutes of 1881, and declaring an emergency, which said sections are as follows to-wit.

Read first time and referred to the Committee on Swamp Lands.

Senator Hanley introduced Senate Bill No. 248, entitled :

A bill for an act for the relief of James Anderson, former Treasurer of Warren County, State of Indiana, ordering and empowering the Auditor of Warren County, State of Indiana, to draw a warrant upon the Treasurer of said county in payment of certain moneys, directing the Treasurer of said county to pay such warrant out of any funds in his hands belonging to said county, and declaring an emergency.

Read first time and referred to Committee on Claims.

Senator Hanley presented the following memorial :

To the Senate and House of Representatives of the Fifty-seventh General Assembly of the State of Indiana :

Be it remembered that James Anderson was elected Treasurer of Warren County, in the State of Indiana, in November, 1886, and entered upon the duties of his office on the 21st day of August, 1887, and continued to serve as such officer for a period of two years, and until the 21st day of August, 1889, and while in the faithful discharge of the duties of said office he deposited of the trust funds in his hands large sums of money in the Bank of Williamsport, in Williamsport, in Warren County, Indiana, in good faith, believing said bank was entirely solvent and a perfectly safe and reliable place of deposit, it being up to the very day on which it failed regarded by business men as a safe, prudent and perfectly solvent bank; that said bank had the confidence of the farmers and business men of said county, many of whom were depositors at the time of its failure; that said bank was owned and controlled by Elias E. Post and Loving Bundy, men whose address, business capacity and relations were such as to win and retain the confidence of the people; that on or about the 31st day of July, 1889, said bank failed and suspended payment, and soon thereafter one Peter W. Anderson was appointed receiver by the Warren Circuit Court, and took charge of the assets and business of said bank for the benefit of the creditors thereof, among whom was the said James Anderson, Treasurer as aforesaid, who, at the time of the failure of said bank, had on deposit therein of the funds of said county the sum of \$1,773.65; that since the appointment of said receiver he has fully settled up the business and affairs

of said bank, which has resulted in the payment of 20 per centum of said sum of \$1,773.65, leaving unpaid the sum of \$1,418.82, which sum is lost to the said James Anderson and his bondsmen ; that on going out of office on the 21st day of August, 1889, said Anderson and his bondsmen paid to his successor said sum of \$1,773.65, and thus fully reimbursed said county ; that said loss was wholly without the fault or negligence of said James Anderson, and, so believing, we, the undersigned citizens and taxpayers of said Warren County, most earnestly petition and pray the Senate and House of Representatives of the Fifty-seventh General Assembly of the State of Indiana, to pass an act relieving said James Anderson and his bondsmen from said liability, and authorizing the Auditor of said Warren County to issue a warrant upon the Treasurer of said county for the sum of \$1,418.82, payable to said James Anderson, and the Treasurer of said county to pay said warrant out of the funds in his hands belonging to said county, and your petitioners would ever pray.

Signed : ISAIAH SMITH,
 And 50 others.

Referred to Committee on Claims without reading.

Senator Harlan introduced Senate Bill No. 244, entitled :

A bill for an act to authorize cities and towns to issue bonds for the purpose of funding their indebtedness, and requiring the Common Council of such cities, and Boards of Trustees of such towns, to levy taxes for the payment of the interest, and provide sinking funds for the liquidation of the principal of such bonds, and repealing all laws in conflict, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Hayden, by request, introduced Senate Bill No. 245, entitled :

A bill for an act defining the duties and fixing the compensation of Inspector of Natural Gas, regulating the use of natural gas, repealing all laws in conflict with this act, and declaring an emergency.

Read first time and referred to Committee on Natural Gas.

Senator Hays introduced Senate Bill No. 246, entitled :

A bill for an act to regulate the descent of personal property in certain cases.

Read first time and referred to Committee on Judiciary.

Senator Hays, by request, introduced Senate Bill No. 247, entitled :

A bill for an act concerning school fund mortgages, providing that the owner of real estate on which there is, or shall hereafter be, a school fund mortgage, shall keep all taxes on such real estate paid as the same shall become due, and providing for a foreclosure of mortgage for failure thereof, and providing for the foreclosure of the same by County Auditor, and a penalty for failure to foreclose.

Read first time and referred to Committee on County and Township Business.

Senator Jackson introduced Senate Bill No. 248, entitled :

A bill for an act to amend section one of an act approved March 11, 1889, to prevent teaming and hauling over turnpikes and gravel roads at certain times and seasons of the year.

Read first time and referred to Committee on Roads.

Senator Kennedy introduced Senate Bill No. 249, entitled :

A bill for an act to amend sections one and two of an act entitled "an act to provide for the taxation of building, loan and saving associations," approved March 7, 1887, and declaring an emergency.

Read first time and referred to Committee on Finance.

Senator Kopelke introduced Senate Bill No. 250, entitled :

A bill for an act to amend sections one (1) and eight (8) of an act entitled "an act to authorize the election of church wardens and vestrymen, and defining their powers and duties," approved March 1, 1881.

Read first time and referred to Committee on Corporations.

Senator Lynn introduced Senate Bill No. 251, entitled :

A bill for an act to amend sections two and three of an act entitled "an act to amend section four, section six and section seven of an act entitled 'an act to provide for the election of a Reporter of the Supreme Court, the speedy publication of the decisions of such Court, and for the compensation of such Reporter,' approved March 13, 1875," approved March 12, 1877, and declaring an emergency, the same being sections 5709 and 5710 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Senator McGregor introduced Senate Bill No. 252, entitled :

A bill for an act to amend section seventy-five (75) of an act entitled, "An act concerning taxation, approved March 29, 1881," and being section 6343 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator McGregor introduced Senate Bill No. 253, entitled :

A bill for an act to amend sections 648, 649 and 650 of an act entitled "an act concerning proceedings in civil cases," approved April 7, 1881, the same being sections 660, 661 and 662 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Senator McHugh introduced Senate Bill No. 254, entitled :

A bill for an act providing for hearing in cases of sales of real estate to pay debts by executors or administrators; legalizing sales heretofore made, or which may hereafter be made on petition now pending, under section 2339 of the Revised Statutes of 1881, repealing section 2339 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator McHugh introduced Senate Bill No. 255, entitled :

A bill for an act to amend an act entitled, an act to encourage the study of Agriculture, Horticulture, Economic Entomology and Agricultural Chemistry, providing for County Institutes, prescribing the duties of Trustees and Faculty of Purdue University in connection herewith and making an appropriation therefor, approved March 9, 1889.

Read first time and referred to Committee on Agriculture.

Senator Kopelke introduced Senate Bill No. 256, entitled :

A bill to amend section two (2) of an act entitled "an act supplemental to an act entitled an act to authorize the Protestant Episcopal Church in this State to raise a fund for the support of a Bishop, and to aid itinerant and superannuated ministers, their widows and children, approved January 15, 1844, and to enlarge the corporate powers of the trustees therein named. Approved April 2, 1881."

Read first time and referred to the Committee on Corporations.

Senator Fulk introduced Senate Bill No. 257, entitled :

A bill for an act to amend sections 15 and 19 of an act entitled "an act providing for voluntary assignments of personal and real property in trust for the benefit of creditors, and regulating the mode of administering the same," approved March 5, 1859.

Read first time and referred to the Committee on Judiciary.

On motion of Senator Smith the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

WEDNESDAY MORNING.

FEBRUARY 4, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Senator Hobson.

After the reading of a portion of the Journal, on motion of Senator Ellison, the further reading of the same was dispensed with.

Senator Shockney was granted leave of absence on account of sickness.

Senator Akin, chairman of the Committee on Agriculture, made the following report on Senate Bill No. 217:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate Bill No. 217, introduced by Senator Ewing, have had the same under consideration, and have the honor to report the same back with the recommendation that it do pass.

Senator Akin, chairman of the Committee on Agriculture, offered the following report on Senate Bill No. 173:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate Bill No. 173, introduced by Senator Foley, beg leave to report the same back with the recommendation that further consideration of the bill be indefinitely postponed.

The report was concurred in.

Senator Akin, chairman of the same committee, also offered the following report on Senate Bill No. 203:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate Bill No. 203, introduced by Senator Holland, beg leave to report the same back with the following amendments, to-wit:

Amend Section 2 by inserting the word "quail" after the words "prairie chickens."

Also, amend Section 7 by inserting the words "and crow" after the words (passer domesticus).

And when so amended that the bill do pass.

Report of committee concurred in.

Senator Akin, chairman of Committee on Agriculture, made the following report on memorial from Brookville Society of Natural History :

MR. PRESIDENT :

Your Committee on Agriculture, to whom memorial from Brookville Society of Natural History was referred, have had the same under consideration, and have taken such steps as will, if carried out, enact the law therein prayed for.

Senator Akin, chairman of Committee on Agriculture, presented the following report on memorial from Daviess County Assembly, F. M. B. A. :

MR. PRESIDENT :

Your Committee on Agriculture, to whom was referred memorial from the Daviess County Assembly, report the same back, with the recommendation that it be referred to Committee on County and Township Business.

The report of the committee was concurred in.

Senator Akin, chairman of the same committee, made the following report on memorial :

MR. PRESIDENT :

Your Committee on Agriculture, to whom was referred memorial by Senator Shockney, beg leave to report the same back, recommending that it be referred to the Committee on Education.

The report of the committee was concurred in.

Senator Ellison, chairman of the Committee on Phraseology, made the following report on Senate Bill No. 74:

MR. PRESIDENT:

Your Committee on Phraseology, to whom was referred En-grossed Senate Bill No. 74 for amendment, recommend that the abbreviation "Co," in line 4, on page 2, be struck out, and the work "Company" be inserted in lieu thereof.

The report of the committee was concurred in.

Senator Jackson, chairman of the Committee on County and Township Business, made the following report on Senate Bill No. 170:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 170, introduced by Senator Hudson, beg leave to report the following bill as a substitute, and recommend that it do pass:

A bill for an act entitled an act for the issue of bonds for the construction of jails and levying a sinking fund tax for the payment of the same in counties of over one hundred thousand inhabitants, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That in any county having a population of over one hundred thousand inhabitants, according to the last national census, it shall be lawful* for the County Commissioners to issue the bonds of the county to the amount of one hundred and fifty thousand dollars (\$150,000) for the purpose of raising funds to build a county jail, such bonds shall run for a period of six years and shall bear not over five per cent. interest. At least one month before any contract is made for the sale of such bonds the County Commissioners shall give notice by advertisement for one week in two daily newspapers of general circulation of the proposed sale, and calling for bids for the said bonds, which bids shall be addressed to the County Treasurer, and the County Treasurer shall dispose of said bonds at best price obtainable, but in no case at a discount of more than three per cent. The County Treasurer shall at once report the amount realized from the sale of the bonds to the County Auditor, who shall charge him with the amount on the proper

books in his office, and the moneys so received shall constitute a special fund for the building of a jail and grading the grounds on which the same shall be located, and shall be applied to no other purpose.

SEC. 2. In any county where bonds are issued under the provisions of this act the County Commissioners shall levy at their next June meeting a special tax of five cents on each one hundred dollars of taxable property in the county, and this levy shall be continued for five consecutive years. The proceeds thereof shall be a special sinking fund for the payment of the principal and interest of said bonds, and shall not be applied to any other purpose: *Provided, however,* That if the amount so raised shall exceed the amount necessary for the redemption of such bonds the excess shall be applied to the payment of the existing indebtedness of the county.

SEC. 3. The total amount expended in the construction and furnishing of said jail, and grading the grounds on which it may be located, shall not exceed the amount received from the sale of the bonds herein provided for. No existing law limiting the indebtedness or rate of taxation for counties shall be construed as applying to the bonds or tax levy herein provided for.

SEC. 4. Whereas, an emergency exists for the passage of this law it is declared to be in effect from and after its passage.

The report of the committee was concurred in.

Senator Jackson, chairman of Committee on County and Township Business, made the following report on Senate Bill No. 206.

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 206, introduced by Senator Ellison, beg leave to report the following bill as a substitute and recommend that it do pass:

Substitute for Senate Bill No. 206:

A bill for an act to amend an act entitled, "An act to amend section two hundred and two of an act entitled, an act concerning public offenses and their punishment," approved April 14,

1881, being section 2110 of the Revised Statutes of 1881, approved March 7, 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana;* That section 1 of the above entitled act be and the same is hereby amended to read as follows:

Section 202. Whoever hunts with a dog or dogs or hunts or shoots with any kind of firearms, on enclosed lands, without having first obtained the written consent of the owner or occupant thereof, shall, upon conviction thereof, be fined in any sum not more than fifty dollars nor less than five dollars: *Provided,* That no prosecution shall be instituted under the provisions of this section, except upon the consent of the owner of the land entered.

The report was adopted.

Senator Jackson, chairman of the Committee on County and Township Business, offered the following report on Senate Bill No. 180:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 180, introduced by Senator Shockney, beg leave to report the same back with the recommendation that the bill do pass.

Senator Jackson, chairman of the same committee, also offered the following report on Senate Bill No. 164:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 164, introduced by Senator Shockney, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Ordered to lie on the table,

Senator Chandler, chairman of the Committee on Insurance, offered the following report on Senate Bill No. 120 :

MR. PRESIDENT :

Your Committee on Insurance, to which was referred Senate Bill No. 120, introduced by Senator Gilman, have had the same under consideration, and respectfully report the same with the recommendation that it be printed and laid on each Senator's desk.

The report was concurred in.

Senator Byrd, chairman of Committee on Mines and Mining, to whom was referred House Bill No. 260, introduced by Representative Moon, beg leave to report the same back with the recommendation that the bill do pass.

Senator Burke moved that the regular order of business be suspended, and that the roll be called for bills on second reading.

The motion did not prevail.

Engrossed Senate Bill No. 109 was read a third time.

Senator Burke made the following motion :

MR. PRESIDENT :

I move to refer Engrossed Senate Bill No. 109 to a committee of one, with instructions to amend the same by striking out the second section thereof.

The motion prevailed, and Senator Ewing was appointed as such special committee.

Senator Ewing, as a special committee, offered the following report :

MR. PRESIDENT :

Your special committee of one, to whom was referred Engrossed Senate Bill No. 109, to make certain amendments therein, respectfully report that he has amended the bill as instructed.

The report was concurred in.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Clemans, Ellison, Ewing, Francis, Gilman, Griffith, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 84.

Those voting in the negative were:

Senators Burke and Lynn. Total, 2.

So the bill passed.

The title to the bill was adopted as the title to the act.

The special order for 10:30 o'clock being the consideration of Engrossed Senate Bill No. 61, Senator Hanley offered the following motion:

MR. PRESIDENT:

I move that the further consideration of Senate Bill No. 61 be postponed until Monday morning at 10:30 o'clock, and that the amendment offered by the Senator from Putnam be printed.

The ayes and noes being demand by Senators Hays and Boyd.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Byrd, Carver, Caster, Clemans, French, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hudson, Jones, Kennedy, Loveland, McGregor, Moore, Mount, Shanks and Wiggs. Total, 21.

Those voting in the negative were:

Senators Akin, Burke, Ellison, Ewing, Foley, Francis, Hayden, Holcomb, Howard, Jackson, Kerth, Kopelke, Lynn, McHugh, Morgan, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski. Total, 20.

So the motion to postpone was adopted.

Engrossed Senate Bill No. 50 was read a third time.

Senator McHugh offered the following motion :

MR. PRESIDENT:

I move to refer Senate Bill No. 50 to a special committee of one to amend by adding the following :

SEC. 8. There shall be appointed by the Mayor of every city in or by which a public park or grounds are established or contemplated by said city, three Park Commissioners, not more than two of whom shall be chosen from the same political parties, which appointments shall be subject to approval by the Common Council. Said Commissioners shall serve for the term of four years and until their successors are duly appointed and qualified. They shall also serve without any compensation of any kind, and shall have general charge, management and direction of said park or parks and of the expenditure of the funds realized for park purposes by taxation, as in the next section provided.

SEC. 9. The Common Council of such cities shall have the power to levy a tax not exceeding one mill on each one hundred dollars of property to defray the expense of purchasing, maintaining, improving and operating said park or parks.

SEC. 10. Such Park Commissioners shall give bond in such sum as the Common Council may order and direct, for the faithful discharge of their duties, and shall render an annual account to such Council of their receipts and expenditures.

Which motion was adopted.

Senator McHugh was appointed as such committee to make said amendments.

Senator McHugh, as special committee to make amendments to Senate Bill No. 50, made the following report :

MR. PRESIDENT:

Your special committee of one, to whom was referred En-grossed Senate Bill No. 50, to make certain amendments therein, respectfully reports that he has amended said bill as requested.

The report of the committee was concurred in.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Caster, Clemans, Ellison, Ewing, Foley, Francis, French, Gilman, Griffith, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kerth, Kopelke, Loveland, Lynn, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 39.

No Senator voting in the negative.

So the bill passed.

Senator McHugh offered the following motion :

MR. PRESIDENT:

I move to amend the title to Senate Act No. 50 by inserting after the word "grounds" the following : "Authorizing the appointment of Park Commissioners and the levying of taxes to defray the expense of purchasing, maintaining, operating and improving the same."

The amendment was adopted.

The title as amended was ordered to stand as the title to the act.

Senator Griffith, chairman of Committee on Enrolled Bills, made the following report :

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would respectfully report that they have carefully examined Enrolled Senate Acts numbered 49 and 167 and find the same correctly enrolled.

Lieutenant-Governor Chase announced that he had signed Enrolled Senate Acts Nos. 49 and 167.

Senator Griffith, chairman of Committee on Enrolled Bills, also made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would respectfully report that after Enrolled Senate Acts numbered 49 and 167 were duly signed by the presiding officers of both Houses of the General Assembly, they delivered said acts to the Governor.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, offered the following report on Enrolled Senate Act No. 208, and Enrolled House Act No. 362 :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report that they have carefully examined Enrolled Senate Act No. 208 and Enrolled House Act No. 362, and find the same correctly enrolled.

Lieutenant-Governor Chase announced that he had signed Enrolled Senate Bill No. 208 and Enrolled House Act No. 362.

Senator Griffith, chairman of the same committee, also offered the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report that after Enrolled Senate Act No. 208 and Enrolled House Act No. 362 were duly signed by the presiding officers of both Houses, they delivered and filed said act with the Governor.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 4, 1891. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 49, the same being :

An act to legalize the incorporation of the town of Westport, Decatur County, and all official acts done under said corporation.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

Also, the following message :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 4, 1891.. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 167, the same being :

An act fixing the time of holding Court in the Tenth Judicial Circuit, and defining the length of such terms.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

Also, the following message :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 4, 1891. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 208, the same being :

An act defining the Fifth and Seventh Judicial Circuits, times of holding courts in the same and the terms thereof.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

Engrossed Senate Bill No. 21 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Clemans, Ellison, Foley, French, Gilman, Griffith, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Morgan, Moore, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Pulaski, and Wiggs. Total, 85.

Those voting in the negative were:

Senators Burke, Jones, Smith, and Thompson of Huntington. Total, 4.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 326, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 289, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 164, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 29, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

On motion of Senator Boyd, the Senate adjourned.

WEDNESDAY AFTERNOON.

FEBRUARY 4, 1891.

The Senate convened at 2 o'clock p. m., Lieutenant Governor Chase, in the chair.

Engrossed Senate Bill No. 179 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Byrd, Caster, Ellison, Foley, French, Grose, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Kennedy, Kopelke, Loveland, Lynn, McGregor, Morgan, Moore, Mount, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 27.

Those voting in the negative were:

Senators Akin, Boyd, Burke, Clemans, Ewing, Hanley, Jones, Kerth, McHugh, Shanks, and Thompson of Huntington and Wells. Total, 11.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed Senate Bill No. 125 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Clemans, Ellison, Ewing, Foley, French, Gilman, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith,

Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 40.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Akin, chairman of the Committee on Agriculture, offered the following report on Senate Bill No. 182:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate Bill No. 182, introduced by Senator Smith, beg leave to report the same back with the recommendation that the bill do pass.

Senator Ewing moved to reconsider the vote taken a few days ago on the resolution appointing L. H. Gamble mail carrier for the Senate.

Motion to reconsider laid over for one day.

Engrossed Senate Bill No. 126 was read a third time.

Senator Hays offered the following motion:

MR. PRESIDENT:

I move that Senate Bill No. 126 be referred to a special committee of one consisting of the Senator from Tippecanoe (McHugh), with instructions to amend by striking out all that portion of the bill referring to any other railroad except the Lafayette Union Railroad Company.

The motion was adopted.

Senator McHugh, as the special committee of one, made the following report on Senate Bill No. 126:

MR. PRESIDENT:

I have amended Senate Bill No. 126 by striking out of section one the words "and all similar railroad companies heretofore so organized and incorporated in this State," and also

"and of county officers in connection with such proceedings in all other counties in the State where aid has been voted to similar railroad companies;" also, by striking out of section 2 the following: "And to all similar railroad companies," and the word "their."

The report of the committee was concurred in.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Caster, Clemans, Ewing, Foley, Francis, French, Griffith, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 85.

Senator Burke voting in the negative.

So the bill passed.

Senator McHugh offered the following motion:

MR. PRESIDENT:

I move to amend the title of Senate Bill No. 126 by striking out the words, "and all similar railroad companies" as often as the same appears in said title.

The motion prevailed.

The title, as amended, was ordered to stand as the title to the act.

Senator Byrd, chairman of the Committee on Benevolent Institutions, offered the following report on Senate Bill No. 178:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to whom was referred Senate Bill No. 178, introduced by Senator Gilman, report in favor of indefinite postponement of the bill.

The report was concurred in.

Senator Byrd, chairman of Committee on Benevolent Institutions, made the following report on Senate Bill No. 155 :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to whom was referred Senate Bill No. 155, introduced by Senator Fulk, reports in favor of the indefinite postponement of the bill, as the provisions of the bill were embraced in a bill previously passed by this Senate.

The report to lie on the table until Senator Fulk's return.

Senator Byrd, chairman of the Committee on Benevolent Institutions, offered the following report on Engrossed House Bill No. 293 :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to whom was referred House Bill No. 293, make the following recommendations: That the phraseology in the title of said bill, "authorizing the Governor to commit," be changed to read, "authorizing the Governor to commute." Also that the following amendments be made to said bill: That after the word "boy," in the 10th line of section 1, insert the words, "or any householder and freeholder;" and that after the word "guardian," in the 13th line of section 1, insert the words, "or householder and freeholder; also after the words, "punished by," in the 15th line of section 1, insert the word "fine," and also after the word "imprisonment" in the 15th line of section No. 1, insert the words, "or by fine and imprisonment and disfranchisement;" also after the words, "this State," in the 16th line of section No. 1, insert the words, "*Provided*, That no officer shall in any case be allowed to file such complaint," and when so amended that the bill do pass.

Senator Burke moved to suspend the regular order of business, and to take up bills on second reading.

Which motion prevailed.

Senate Bill No. 166, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 185, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 160, together with the report of the committee thereon, was read a second time.

Senator Ewing moved that the report of the committee be not concurred in.

The motion was lost.

Senator Burke moved to recommit the bill to the Committee on Judiciary.

The motion was adopted.

On motion of Senator Burke, the consideration of Senate Bill No. 108 was made the special order for to morrow at 3:30 o'clock P. M.

Senate Bill No. 207, together with the report of the committee thereon, was read a second time.

On motion of Senator Foley the consideration of Senate Bill No. 207 was made the special order for to morrow morning at 11 o'clock.

Senate Bill No. 152, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Kopelke offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 152 by adding at the end of section 1 the following: *Provided*, That the county seat shall not be relocated at any point nearer than three miles to the boundary line of this State.

Senator Ewing moved to reject the amendment.

The ayes and noes were demanded by Senators Sweeney and Kopelke.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Clemans, Ellison, Ewing, Francis, French, Fulk, Gilman, Griffith, Hanley, Hayden, Hobson, Howard, Jackson, Jones, Loveland, McGregor, Moore, Mount, Smith, Thompson of Huntington. Total, 26.

Those voting in the negative were:

Senators Foley, Grose, Holcomb, Hudson, Kennedy, Kopelke, Morgan, Shanks, Sweeney and Wiggs. Total, 10.

So the amendment was rejected.

Senator Sweeney moved to adjourn.

The motion was lost.

Senator Sweeney offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 152 by striking out the words "five hundred or more legal voters and freeholders" in line 2, section 1, and by inserting in lieu the words "33½ per cent. of the legal voters," and amend said section further by adding thereto the following proviso:

"Provided, That the number of all legal ballots cast at the general election in such county at which a congressman was voted for next preceding the presentation of such petition to the Board of Commissioners, with ten per cent. added thereto, shall be considered the whole number of voters of such county."

Senator Francis moved to reject Senator Sweeney's amendment.

Senator Kopelke called for a division of the question.

The question being on the first part of the amendment.

Senator Ewing moved to reject the first clause of Senator Sweeney's amendment.

The ayes and noes being demanded by Senators Sweeney and Kopelke.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Carver, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Hanley, Hayden, Hays, Hobson, Jones, Lynn, McGregor, McHugh, Mount, Shaaks, Shockney, Thompson of Huntington and Wells. Total, 25.

Those voting in the negative were :

Senators Caster, Holcomb, Howard, Jackson, Kennedy, Kerth, Kopelke, Morgan, Moore, Sweeney and Wiggs. Total, 11.

So the motion prevailed.

On motion of Senator Kopelke, the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

THURSDAY MORNING.

FEBRUARY 5, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Senator Howard.

After the reading of a portion of the Journal, on motion of Senator Mount, the further reading of the same was dispensed with.

Senator Thompson, of Pulaski, was granted leave of absence on account of sickness.

The question being on the adoption of the second clause of Senator Sweeney's amendment to Senate Bill No. 152, offered yesterday.

Senator Ewing moved that said clause be rejected.

The motion prevailed.

Senator Sweeney offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 152, by striking out the words "fifty-five per cent. of the whole number of votes cast at said election," in lines 6 and 7, section 7, and by inserting in lieu thereof the following words: "Sixty per cent. of the legal voters of such county, as ascertained in section 1 of this act."

The ayes and noes being demanded by Senators Sweeney and Kopelke.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Gaster, Chandler, Ellison, Ewing, Francis, French, Gilman, Griffith, Grimes, Hanley, Hayden, Hobson, Jackson, Jones, McHugh, Mount, Shockney, Thompson of Huntington and Wells, Wiggs and Yaryan. Total, 24.

Those voting in the negative were:

Senators Akin, Foley, Fulk, Grose, Hays, Holcomb, Howard, Kennedy, Kerth, Kopelke, Lynn, McGregro, Morgan, Moore, Shanks, Smith and Sweeney. Total, 17.

So the amendment was rejected.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Concurrent Resolution No. 12, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 386, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 70, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 268, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senator Kopelke offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill No. 152 by adding at the end of section 1 the following: *Provided*, That where the county seat as now located has been established for over forty years, it shall not be removed to any point more than fourteen miles from its present location, where such relocation would remove it further away from the geographical center of the county than the existing location.

Senator Burke moved to reject the amendment.

The ayes and noes being demanded by Senators Gilman and Kopelke.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Carver, Caster, Chandler, Ewing, Francis, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Howard, Hudson, Jackson, Jones, Lynn, McGregor, McHugh, Mount, Shanks, Shockney, Thompson of Huntington, Wiggs and Yaryan. Total, 30.

Those voting in the negative were :

Senators Clemans, Ellison, Foley, Grose, Holcomb, Kennedy, Kerth, Kopelke, Morgan, Moore and Sweeney. Total, 11.

So the motion to reject the amendment prevailed.

Senator Burke moved that Senate Bill No. 152 be ordered engrossed, and on this motion demanded the previous question.

The question being, Shall the Senate second the demand for the previous question ?

The Senate seconded the demand for the previous question.

The question now being, Shall the main question be now put ?

The motion carried.

The question recurring on Senator Burke's motion.

The same prevailed, and Senate Bill No. 152 was ordered engrossed.

Senator Griffith moved that Senate Bill No. 152 be made the special order on its third reading for 2 P. M. to-day.

The motion prevailed.

Senator Burke, chairman of the Committee on Judiciary, offered the following report on Senate Bill No. 192 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 192, introduced by Senator Hayden, beg leave to report the same back with the recommendation that the bill be amended by adding to section 1 the following: "*Provided, That in giving such consent such Common Council or Board of County Commissioners may do so upon such terms and conditions as they may see fit to impose,*" and when so amended the bill do pass.

Senator Shockney called up Senate Bill No. 46 for third reading.

Senator Burke moved that the consideration of Senate Bill No. 46 be made the special order for next Monday at 2 p. m.

The motion was lost.

Engrossed Senate Bill No. 46 was then read a third time.

Senator Shockney offered the following motion:

MR. PRESIDENT:

I move that said bill No. 46 be referred to a committee of one, with instructions to strike out Section 8 thereof.

The motion was adopted, and Senator Shockney appointed as such committee.

Senator Shockney, as the special committee of one, to whom was referred Engrossed Senate Bill No. 46 for amendment, offered the following report:

MR. PRESIDENT:

Your committee begs leave to report that he has amended the bill as ordered by the Senate.

The report was concurred in.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Thompson of Huntington and Wells, Wiggs, and Yaryan. Total, 39.

Those voting in the negative were:

Senators Burke, Ewing, Griffith, Holcomb, Jackson and Sweeney. Total, 6.

So the bill passed.

Senator Shockney moved to amend the title of Senate Bill No. 46, by striking out the emergency clause.

Which motion carried.

The title as amended was adopted as the title to the act.

Senator Howard introduced Senate Bill No. 258, entitled:

A bill for an act concerning taxation, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to the Committee on Finance.

On motion of Senator Hayden, 300 copies were ordered printed and laid upon the desks of Senators.

Senator Foley moved to take up Senate Bill No. 207.

Senate Bill No. 207, together with the report of the committee thereon, was read a second time.

The special order for Monday morning at 10 o'clock was changed to 11:30 o'clock.

On motion of Senator Burke, the Senate adjourned.

THURSDAY AFTERNOON.

FEBRUARY 5, 1891.

The Senate convened at 2 o'clock p. m., Lieutenant-Governor Chase in the chair.

The special order for this hour being the consideration of Engrossed Senate Bill No. 152.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith,

Grimes, Hanley, Harlan, Hayden, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Lynn, McGregor, McIlugh, Moore, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Huntington and Wells, and Wiggs. Total, 38.

Those voting in the negative were :

Senators Akin, Grose, Kopelke and Sweeney. Total, 4.

So the bill passed.

The title of the bill was adopted as the title to the act.

Senator Hubbell, by request, introduced Senate Bill No. 259, entitled :

A bill for an act to confer upon women the privilege to vote and hold office at all regular or special elections held in any city, town or village in this State for the election of city, town or village officers, or other municipal purposes; repealing all laws in conflict herewith, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 13, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 62, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
CLERK.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 281, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 309, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 305, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

As unfinished business from the forenoon session, the consideration of Senate Bill No. 207 was resumed and Senator Foley moved that the Senate recommend the passage of the bill.

Pending discussion of Senate Bill No. 207, the hour of 3 o'clock having arrived, and the special order for that hour being Senate Bill No. 108, on motion of Senator French, Senate Bill No. 108 was read a second time.

Senator Howard offered the following amendment:

MR. PRESIDENT:

I move that Senate Bill No. 108 be amended as follows: In section 1, after the word "valid," in line 6 of the printed bill, insert the following: "Unless the same be in writing, signed by the party to be charged thereby; and in such case it shall not be lawful to contract for more than 7 per cent. per annum."

Senator Ewing moved to reject the amendment.

The ayes and noes being demanded by Senators Ellison and Grose.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Carver, Caster, Chandler, Clemans, Ewing, Foley, Francis, Griffith, Grimes, Hanley, Harlan, Hayden, Kerth, Loveland, McHugh, Shockney, Smith, Sweeney, Thompson of Marion, and Thompson of Huntington and Wells. Total, 22.

Those voting in the negative were :

Senators Byrd, Ellison, French, Fulk, Gilman, Grose, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kopelke, Lynn, McGregor, Morgan, Moore, Shanks, Wiggs and Yaryan. Total, 21.

So the amendment was rejected.

Senator Howard offered the following motion :

MR. PRESIDENT :

I move the following amendment to section 1 of Senate Bill No. 108 :

After the enacting clause insert the following : "That section one of the above entitled act, being section 5193 of the Revised Statutes of 1881, be amended to read as follows : Section 1."

On motion of Senator Harlan Senator Howard's amendment was rejected.

Senator McHugh moved to strike out the enacting clause of Senate Bill No. 108.

Senator Kennedy moved to amend Senator McHugh's motion that the bill lie on the table.

Which motion prevailed.

Senator Griffith, chairman of the Committee on Enrolled Bills, presented the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled House Act No. 25, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

Lieutenant-Governor Chase announced that he had signed House Act No. 25.

Senator Griffith, chairman of Committee on Enrolled Bills, presented the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that after Enrolled House Act No. 25 was signed by the presiding officers of both Houses they delivered said act to the Governor for his approval.

F. M. GRIFFITH,
Chairman.

Senators Hays and Mount were granted leave of absence for the remainder of the day.

Senator Hayden moved that when the Senate adjourn it be till to-morrow morning at 9 o'clock.

Which motion prevailed.

Senator Fulk, as special committee to amend Senate Bill No. 138, made the following report:

MR. PRESIDENT:

Your special committee of one, to whom was referred Senate Bill No. 138 for amendment, beg leave to submit the following report:

1st. Amend the title thereof in line 2 by inserting after the word "civil" the words "or criminal."

2d. Also in line 1 of section one, the same being section 512 of the Revised Statutes of 1881, by inserting after the word "civil" the words "or criminal."

Senator Fulk moved to recommit the bill, with amendments, to the Committee on Organization of Courts.

Which motion prevailed.

The consideration of Senate Bill No. 207 was resumed.

On motion of Senator Hudson, Senate Bill No. 207 was referred to Committee on Labor for amendment.

Senator Fr  nch was granted leave of absence till Tuesday morning at 10 o'clock.

Senator McGregor offered the following memorial:

To the General Assembly of the State of Indiana:

GENTLEMEN—We, the undersigned citizens of Madison, Indiana, are interested in the manufacture of saddle-trees, some as manufacturers, and others as employes, and saddle-tree makers desirous of employment, and on behalf of the interests we represent, and the cause of honest labor, we desire to enter our protest against the present system of convict labor which has proven so injurious to the interests with which we are connected.

Ten years ago there were eight saddle-tree shops in this city, employing over 200 men, who in turn gave employment to as many more men in getting out and hauling timber, etc. These mechanics received in wages, on an average, nearly \$18.00 a week, each. At that time there were about twenty convicts engaged in the manufacture of saddle-trees in the Indiana Southern Prison. The number of convicts engaged in said work has been gradually increased, and there has been a corresponding increase in their output, while the number of manufactories employing honest labor have proportionately decreased on account of said prison competition, until at present there are only four such manufactories in this city, employing about sixty men, who no longer receive steady employment, and when employed only earn, on an average, about \$7.00 per week; and this prison labor has likewise injuriously affected said industry at other places.

We are reliably informed that the force employed in manufacturing saddle-trees at the Indiana Southern Prison will soon be increased to 125 men, who will be able to turn out 3,000

saddle-trees each week, which will still further injuriously affect, if not entirely close every saddle-tree manufactory in the State.

We would, therefore, respectfully pray your honorable body to make such changes in our present system of convict labor as shall relieve the industry we represent from this oppressive opposition, and we suggest that contractors be only allowed, as formerly, to work not over twenty men in the manufacture of saddle-trees, or, what would be far better and more remedial of the evil, to place the convicts at some other work, where they will not come in contact with or antagonize the interests of outside capital and the honest labor which it employs.

Referred to Committee on State Prisons.

Senator McGregor also presented the following memorial:

We, the undersigned citizens of Madison, are fully acquainted with the contents of the memorial about to be submitted to the General Assembly of Indiana, by those interested in the saddle-tree industries of Madison, and knowing the justice of their claim, we respectfully recommend that the prayer of said petition be granted.

Signed by J. T. BRASHEAR,
and numerous others.

Referred to Committee on Prisons.

Senator McGregor offered the following resolution:

Resolved, That the Senate Committee on State Prisons be instructed to investigate the matters contained in the memorial of the saddle-tree makers of Madison, to learn if some relief may be obtained for the petitioners and to report to the Senate at the earliest practicable moment.

Referred to Committee on Prisons.

Senator Yaryan introduced Senate Bill No. 260, entitled:

A bill for an act to amend section 6240 of the Revised Statutes of 1881, to read as follows to-wit:

Read first time and referred to Committee on Benevolent Institutions.

Senator Ewing moved that the regular order of business be suspended and that the roll be called for the introduction of bills.

On motion of Senator Burke the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

FRIDAY MORNING.

FEBRUARY 6, 1891.

The Senate convened at 9 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by the President of the Senate.

After the reading of a portion of the Journal, on motion of Senator McHugh, the further reading of the same was dispensed with.

Engrossed House Bill No. 70, entitled:

A bill for an act authorizing Deputy County Surveyors to perform all services required by law of County Surveyors, and defining who may be such deputy, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 281, entitled:

A bill for an act authorizing the Circuit and Criminal Courts of this State to pay short-hand reporters for transcribing the short-hand notes of evidence taken by them in criminal cases into long hand manuscript in certain cases, and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

Engrossed House Bill No. 29, entitled :

A bill for an act to amend sections six (6) and seven (7) of an act entitled "An act prohibiting the obstruction of ditches or drains, providing a method of keeping them in repair, and providing a penalty for the violation thereof," approved February 28, 1889, and declaring an emergency.

Read first time and referred to Committee on Swamp Lands.

Engrossed House Bill No. 62, entitled :

A bill for an act to prevent any person from unlawfully wearing the badge of the Grand Army of the Republic, Union Veterans, Sons of Veterans, or Military Order of the Loyal Legion of the State of Indiana.

Read first time and referred to Committee on Military Affairs.

Engrossed House Bill No. 13, entitled :

A bill for an act regulating the weighing of coal, uniformity of screens, providing for the safety of employes, protecting persons and property injured, providing for the proper ventilation of mines, prohibiting boys and females from working in mines, conflicting acts repealed, and providing penalties for violation.

Read first time and referred to Committee on Labor.

Engrossed House Bill No. 164, entitled :

A bill for an act providing for the payment of a claim of Jacob Covert for expenses incurred by him in investigating the question of convict labor, as instructed by the Fifty-fifth General Assembly of the State of Indiana.

Read first time and referred to Committee on Claims.

Engrossed House Bill No. 289, entitled :

A bill for an act to amend sections 2 and 3 of an act entitled an act defining who are persons of unsound mind, and authorizing the appointment of guardians for such persons, defining the powers and duties of such guardians, declaring void the contracts of persons of unsound mind, and providing for their restraint, approved May 29, 1852, the same being sections 2545 and 2546 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 268, entitled :

A bill for an act regulating the sale of cigarettes, providing for the licensing of those engaged in the sale thereof, and fixing a penalty for any violation of the provisions of such act.

Read first time and referred to the Committee on Public Health.

Engrossed House Bill No. 309, entitled :

A bill for an act to provide for change of venue in actions for the appointment or removal of an administrator or executor, and in all suits upon the bonds of administrators and executors, and in all actions and controversies arising out of the settlement of decedents' estates.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 305, entitled :

A bill for an act to amend section 628 of "An act concerning proceedings in civil cases," approved April 7, 1881, being section 632 of the Revised Statutes of 1881.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 386, entitled :

A bill for an act appropriating money for the claim of the Warren-Scharf Asphalt Paving Company on account of paving with asphalt the roadway of Mississippi street, in the city of Indianapolis, west of the State House grounds, and declaring an emergency.

Read first time and referred to the Committee on Claims.

Engrossed House Bill No. 326, entitled :

A bill for an act to prohibit the appropriation, purchase, sale or disposition of the rights, perquisites and immunities of State institutions by an officer or officers to any other officer or officers of any State institutions, providing penalties for the violation thereof, and repealing all laws in conflict therewith.

Read first time and referred to Committee on Judiciary.

Engrossed House Concurrent Resolution No. 12:

WHEREAS, The Order of Railway Conductors of North America, having a membership of over twenty thousand, and being desirous of making a change from their present location, Cedar Rapids, Iowa, to some more central location, and the city of Indianapolis being one of the places under consideration; be it, therefore,

Resolved, That the House of Representatives, the Senate concurring, most heartily extend an invitation to the Grand Division of the Order of Railway Conductors, to locate their permanent home in the city of Indianapolis, Indiana.

The resolution was read and concurred in.

Leave of absence was granted Senator Kennedy from 11 A. M. until 11 A. M. next Monday.

Senator Hayden moved that when the Senate adjourn, it adjourn to Monday, 11 o'clock A. M.

The motion prevailed.

Senate Bill No. 87, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 175, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate bill No. 52, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 28, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 158, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 66, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 103, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 68, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 72, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 77, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Magee moved that the constitutional rule be suspended, the bill considered engrossed, be read a third time by sections, and put upon its passage.

The question being, Shall the Constitutional Rules be suspended.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ewing, Foley, Francis, Gilman, Grose, Hanley, Harlan, Hayden, Hobson, Holcomb, Holland, Howard, Hudson,

Jackson, Kennedy, Kerth, Kopelke, Loveland, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Wiggs. Total, 88.

No Senator voting in the negative.

So the Constitutional Rule was suspended and the bill considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ewing, Foley, Francis, Gilman, Griffith, Grose, Hanley, Harlan, Hayden, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McGregor, McHugh, Magee, Morgan, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs. Total, 88.

Senator Moore voted in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senate Bill No. 97, together with the report of the committee thereon, was read a second time.

Senator Shockney moved to concur in the report of the committee.

Senator Burke moved that the further consideration of this bill be indefinitely postponed.

Senator Hanley was granted leave of absence until Monday.

Senator Shockney moved to amend the motion of Senator Burke to postpone until Tuesday.

Which motion prevailed.

Senator Howard moved that Senate Bill No. 28 be made a special order for next Wednesday at 10 A. M., to be considered in committee of the whole.

The motion was adopted.

Senate Bill No. 23, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 95, together with the report of the committee thereon, was read a second time.

And the report of the committee was concurred in.

Senator Shockney offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill 95 by striking out the words "indorsement of payment on record, etc., effect," in line 4 of Section 1 of the printed bill, and insert in lieu thereof the words and figures, "Section 461."

The amendment was adopted, and the bill as amended was ordered engrossed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 166, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 111, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 2, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senators Boyd and Hudson were granted leave of absence.

The Committee on Benevolent and Reformatory Institutions were granted leave of absence to visit the Benevolent Institutions at Logansport and Fort Wayne.

Senate Bill No. 205, together with the report of the committee thereon, was read a second time.

Senator Burke moved to concur in the report of the committee and that the bill be ordered engrossed.

Senator Ewing moved to make the bill a special order for Wednesday at 2 P. M.

Senator Magee moved to lay the whole matter upon the table.

The motion was adopted.

Senator Akin introduced Senate Bill No. 261, entitled :

A bill for an act regulating the lending of money in this State upon Indiana real estate by corporations or companies not incorporated or organized under the laws of this State and providing for the appointment of loan agents, prohibiting the taking of commissions by such agents and prescribing penalties.

Read first time and referred to Committee on Corporations.

Senator Ewing moved to suspend the regular order and receive reports of the chairmen of the various committees.

The motion was adopted.

Senator Burke, chairman of Committee on Judiciary, made the following report on Senate Bill No. 70:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 70, introduced by Senator Morgan, beg leave to report the same back with the recommendation that it do pass.

Report concurred in.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 65:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 65, introduced by Senator Foley, beg leave to report the same back, with the recommendation that the bill be amended by adding to section 15 the following: The Secretary of the new and consolidated corporation shall make out two certified copies of the proceedings which led to and consummated the consolidation, which shall be attested by the corporate seal, one of which copies shall be filed in the office of the Secretary of State, and the other in the office of the Recorder of the county in which such new and consolidated corporation shall be located or shall have its principal office, as hereinbefore stated. And when so amended it do pass.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 19:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 19, introduced by Senator Foley, beg leave to report the same back, with the recommendation that the bill be indefinitely postponed.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 227:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 227, introduced by Senator Shockney, beg leave to report the same back, with the recommendation that the same be indefinitely postponed.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Engrossed House Bill No. 87:

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 87, introduced by Representative Voigt, beg leave to report the same back, with the recommendation that it do pass.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 254:

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 254, introduced by Senator McHugh, beg leave to report the same back with the recommendation that it do pass.

Senator Burke, chairman of the Committee on Judiciary, made the following report on Senate Bill No. 196:

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 196, introduced by Senator Kopelke, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Also the following report on Senate Bill No. 232:

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 232, introduced by Senator Caster, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Also the following report:

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 156, introduced by Senator Clemans, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Also the following report on Senate Bill No. 176 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 176, introduced by Senator Chandler, beg leave to report the same back with the recommendation that it do pass.

The bill was ordered printed.

Also, the following report on Engrossed House Bill No. 12 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 12, introduced by Representative Work, beg leave to report the same back, recommending that the bill be amended by placing "Section 1" before the enacting clause, and "Section 2" before the emergency clause, and when so amended the bill do pass.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 184 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 184, introduced by Senator Ewing, beg leave to report the same back with the recommendation that it do pass.

Also, the following report on Senate Bill No. 228 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 228, introduced by Senator Yaryan, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Also, the following report on Senate Joint Resolution No. 3 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Joint Resolution No. 3, introduced by Senator Shockney, beg leave to report, recommending an indefinite postponement, for the reason that the Senate has heretofore taken action on a concurrent resolution similar to the one just read.

Also the following report on Senate Bill No. 219:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 219, introduced by Senator Hayden, beg leave to report the same back with the recommendation that it do pass.

The bill was ordered printed.

Also the following report on Senate Bill No. 210:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 210, introduced by Senator Hanley, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Also the following report on Senate Bill No. 186:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 186, introduced by Senator Burke, beg leave to report the same back with the recommendation that it do pass.

The bill was ordered printed.

Senator Jackson, chairman of the Committee on County and Township Business, made the following report on Senate Bill No. 180:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 180, introduced by Senator Hayden, beg leave to report the same back with the recommendation that it do pass.

The bill was ordered printed.

Also, the following report on Senate Bill No. 107: .

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 107, introduced by Senator Kopelke, report the same back with the recommendation that it be indefinitely postponed.

The report of the committee was concurred in.

Senator Chandler, chairman of the Committee on Insurance, made the following report on Senate Bill No. 235 :

MR. PRESIDENT :

Your Committee on Insurance, to whom was referred Senate Bill No. 235, introduced by Senator Ewing, beg leave to submit that they have examined the same, and report it back with the recommendation that it do pass.

The bill was ordered printed and placed upon the desks of Senators.

Senator Kerth, chairman of the Committee on Cities and Towns, made the following report on Senate Bill No. 141 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 141, introduced by Senator Harlan, beg leave to report the same back, with the recommendation that the bill be indefinitely postponed.

The report of the committee was concurred in.

Also, the following report on Engrossed House Bill No. 397 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 397, introduced by Representative Patton, beg leave to report the same back, with the recommendation that the bill do pass.

Also, the following report on Engrossed House Bill No. 217 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 217, introduced by Representative Lindemuth, of Wayne County, beg leave to report the same back with the recommendation that the bill do pass.

Also the following report on Engrossed House Bill No. 86 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 86, introduced by Representative Voigt, beg leave to report the same back with the recommendation that the bill do pass.

Also the following report on Engrossed House Bill No. 226 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 226, introduced by Representative Gent, of Bartholomew, beg leave to report the same back with the recommendation that the bill do pass.

Senator Griffith, chairman of the Committee on Rules, made the following report :

MR. PRESIDENT :

Your Committee on Rules, to whom was referred the resolution and motion of the Senator from Elkhart, asking to have the powers and duties of the Committee on Public Buildings defined, would respectfully report that said committee is not one of the committee mentioned and provided for by statute, and so far as your Committee on Rules has been able to learn, was first created by the session of the Indiana Legislature in the year 1881. That at the time of the creation of said committee, in 1881, there is no record showing the object and purpose of said committee, but your committee find that at said time there was under course of construction the new State House, the new Insane Asylums and other public buildings; your committee further find that all matters relating to the construction of such buildings—contracts, bonds of contractors and the manner in which contracts were being carried out and complied with were referred to the Committee on Public Buildings. Your Committee on Rules, therefore, conclude that the duty of the Committee on Public Buildings is confined to such public buildings, if any, as may be under course of construction; to an inspection of such buildings; to inquire whether or not such buildings are being constructed according to contract; whether or not the interests of the State are properly protected by requiring contractors to execute good and sufficient bonds, and matters properly connected with such public buildings as may at the time be under course of construction.

The report of the committee was concurred in.

Senate Bill No. 147, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senate Bill No. 92, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Engrossed House Bill No. 118, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator McHugh moved to reconsider the action taken on Senate Bill No. 205.

The motion was adopted.

Senator Ewing moved to call the roll for the introduction of bills.

The motion was adopted.

Senator Burke introduced Senate Bill No. 262, by request, entitled:

An act making an appropriation to pay two unpaid warrants on the Auditor of State, issued by the Senate of Indiana, and declaring an emergency.

Read first time and referred to the Committee on Claims.

Senator Ewing introduced Senate Bill No. 263, entitled:

A bill for an act to authorize the issuing of executions in certain cases.

Read first time and referred to Committee on Judiciary.

Senator Ewing introduced Senate Bill No. 264, entitled:

A bill for an act to require the recording, in the offices of County Recorders, of wills in certain cases, and matters connected therewith.

Read first time and referred to the Committee on Judiciary.

Senator Griffith introduced Senate Bill No. 265, entitled :

A bill for an act to amend section 9 of an act entitled "An act to regulate and license the sale of spirituous, vinous and malt and other intoxicating liquors; to limit the license fee to be charged in cities and towns; prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors; to repeal all former laws regulating the sale of intoxicating liquors, and all laws and parts of laws coming in conflict with the provisions of this act; prescribing penalties for the violation thereof, and declaring an emergency. Approved March 17, 1875."

Read first time and referred to Committee on Temperance.

Senator Griffith introduced Senate Bill No. 266, entitled :

A bill for an act to regulate the practice of pharmacy, sale of poisons, abortives, and to prevent the adulteration of drugs, prescribing penalties for violations of this act.

Read first time and referred to the Committee on Public Health.

Senator Grose introduced Senate Bill No. 267, entitled :

A bill for an act to amend section 1 of an act entitled "an act concerning interest and usury," approved March 10, 1879, being section 5198 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to the Committee on Rights and Privileges.

Senator Harlan introduced Senate Bill No. 268, entitled :

A bill for an act creating a Board of Pardons, defining the duties, fixing the salary thereof, prescribing the mode of applying for pardons, commutations of sentence and reprieves, and declaring an emergency.

Read first time and referred to the Committee on Prisons.

Senator Howard introduced Senate Bill No. 269, by request, entitled :

A bill for an act concerning the re-election of officers to the office of Circuit Judge.

Read first time and referred to the Committee on Judiciary.

Senator Howard introduced Senate Bill No. 270, entitled :

An act concerning the practice in Circuit Courts.

Read first time and referred to the Committee on Judiciary.

Senator Howard introduced the following memorial :

MADISON TOWNSHIP,
ST. JOSEPH COUNTY, IND., Jan. 17, 1891. }

Hon. T. E. Howard, South Bend, Ind. :

WHEREAS, One of the greatest modern inconveniences in the district school is insufficient ventilation and unequal heating of school houses; be it

Resolved, That we, the teachers of Madison Township, ask the General Assembly of the State of Indiana to pass some law which will compel trustees to furnish sufficient means for thorough ventilation and uniform heating of school houses, at least in new buildings which shall be hereafter erected, and that we earnestly request our Representatives and Senators to urge the passage of some such law.

E. A. FINK,
Chairman of Committee.

The above resolution was unanimously passed at a recent meeting of our Institute.

WM. E. GRAVES,
Township Principal.

Referred without reading to Committee on Education.

Senator Kopelke introduced Senate Bill No. 271, entitled :

A bill for an act supplemental to the act now in force concerning the organization of manufacturing and mining companies.

Read first time and referred to Committee on Judiciary.

Senator Loveland; by request, introduced Senate Bill No. 272, entitled :

A bill for an act concerning county offices and providing who may not be eligible thereto.

Read first time and referred to Committee on Judiciary.

Senator McHugh introduced Senate Bill No. 273, entitled :

A bill for an act to amend section 259, of an act entitled "an act concerning taxation," approved March 29, 1881, the same being section 3160, of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Senator Magee introduced Senate Bill No. 274, entitled :

A bill for an act concerning the mining, piping and transportation of natural gas by domestic and foreign corporations.

Read first time and referred to Committee on Judiciary.

Senator Magee introduced Senate Bill No. 275, entitled :

A bill for an act to regulate the employment of officers and persons in the service of State in the benevolent institutions of the State.

Read first time.

Senator Magee moved to refer the bill to a special committee of three, to be appointed by the Chair.

The President of the Senate reported that he had appointed Senators Magee, Howard and Shockney as such committee.

Senator Moore introduced Senate Bill No. 276, entitled :

A bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith.

Read first time and referred to Committee on Legislative Apportionment.

Senator Moore introduced, by request, Senate Bill No. 277, entitled :

A bill for an act to amend section 55 of an act entitled "An act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," approved May 6, 1853, and being section 1449 of the Revised Statutes of 1889.

Read first time and referred to Committee on Organization of Courts.

Senator Moore introduced, by request, Senate Bill No. 278, entitled :

A bill for an act to amend section 7 of an act entitled "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873, and the same being section 1031 of the Revised Statutes of 1881.

Read first time and referred to the Committee on Judiciary.

Senator Shockney introduced Senate Bill No. 279, entitled :

A bill for an act to amend section 5 of "An act concerning liens of mechanics, laborers and material men," amending sections 1, 2, 3 and 6 of "An act entitled an act concerning liens of mechanics, laborers and material men," approved March 6, 1888; repealing section 5 of said act; amending section 1 of an act entitled an act concerning liens of mechanics, laborers and material men," approved April 13, 1885, repealing all laws and parts of laws in conflict therewith, and declaring an emergency, approved March 9, 1889.

Read first time and referred to Committee on Labor.

Senator Sweeney introduced Senate Bill No. 280, entitled :

A bill for an act authorizing the purchase of toll roads by counties, providing for the payment thereof, and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

Senator McGregor, by request, introduced Senate Bill No. 281, entitled :

A bill for an act to prohibit the deposit of the contents of privy vaults in or upon the margin or banks of any river or other water course bordering upon, or traversing, or passing through any city or incorporated town within this State, or their tributaries, within certain prescribed limits, and for the preservation of the public health, and prescribing penalties for the violation thereof.

Read first time and referred to the Committee on Public Health.

Engrossed House Bill No. 166, entitled :

An act to amend section 4 of an act fixing the number of the trustees of the Purdue University, describing the manner of their appointment, providing for the organization of said Board, and repealing all laws in conflict with the provisions of this act, approved March 9, 1875.

Read first time and referred to Committee on Education.

Engrossed House Bill No. 111, entitled :

A bill for an act repealing section one of an act entitled "An act concerning the taxation of certain lands and other property within the limits of cities and towns," approved April 16, 1881, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 2, entitled :

A bill for an act to amend section eighty (80) of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881, the same being section 1983 of the Revised Statutes of 1881, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 12, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the amendments ordered engrossed.

Senator Howard introduced the following memorial :

The bill now pending in the Indiana Legislature that proposes to tax money loan investments in our State is one of the most dangerous propositions to the debtor class of the State yet proposed.

There are millions of dollars loaned on Indiana property and invested in this State by outside loan associations. The most of these loans are placed upon farm property under existing laws. The debtor class are not in a position to meet these obligations and the only hope of hundreds of farmers in the State is in the renewal of their loans. If this can not be done the result will be forced collections and sheriffs' sales of their farms to meet their obligations. Pass the pending bill taxing capital loaned in this State, and the indications are that you will drive capital away from the State and force the collection of all mortgages due, or to become due, which will ruin and make homeless thousands of our farmers. If we have local capital to save these farmers, well and good, but unless we have it will be suicidal to take the step proposed in the measure now before the Legislature. On its face such legislation looks very plausible, but a proper understanding of the damage done to the debtor class, which is mainly among the farmers, will cause a reversion of the sentiment, that now believes such a law expedient. The Herald hopes, for the sake of the thousands of men who have mortgages on their farms in Indiana, that no such a law as proposed may be enacted.

Referred without reading to Committee on Finance.

Senator Smith, chairman of Committee on Prisons, made the following report :

MR. PRESIDENT :

Your Committee on Prisons who, under a resolution heretofore passed, were directed to investigate the affairs of the Northern Indiana Prison, and the alleged irregularity thereof, as charged in the message of Governor Alvin P. Hovey, sent to the Senate on the 11th day of January, 1891, beg leave to submit the following :

That on Thursday morning, January 29, your committee convened, in conjunction with the House Committee on Prison

Affairs, in the Directors' room of the Prison North at Michigan City. We at once proceeded upon the investigation of the books and accounts of the prison.

Hon. Bruce Carr, late Auditor of State, and Walter Vail, Cashier of the First National Bank of Michigan City, were appointed as experts to examine the books and accounts of the prison, and were, after being duly sworn to conduct a fair examination, directed to render an exhibit of the financial status of the prison, including the receipts and expenditures involved in its management since the last investigation of its affairs by a legislative committee, together with a statement of the amount now due the State by the Warden.

Senator Harlan, of the Senate Committee, and Representative Erwin, of the House Committee, were delegated by their respective committees to assist in this examination.

The exhibit rendered by the expert examiners accompanies and is made a part of this report, and is marked Exhibit "A." The receipts of the prison result chiefly from the hiring out of convicts to contractors, from the sale of hides, etc., by the Warden, for the account of the State, and, from the sale of prison slops under a contract with the Warden.

The expenditures were shown to have been for the maintenance of the convicts, and for necessary improvements. These expenditures, in the opinion of your committee, were honestly and judiciously made.

The exhibit developed the fact that upon the date of our visit to the prison there was due the State from the Warden \$18,289.99. This sum was found to be deposited in two banks at Michigan City, viz.: The Citizens' State Bank and the First National Bank, whose officers stated to your committee under oath that the banks held sums aggregating the amount shown to be due the State, and that said sums were on deposit subject to the check of James Murdock, Warden. The Warden has not complied with the strict letter of the law in failing, at the time he made quarterly settlements with the Treasurer of State, to turn over the balance on hand to the Treasurer, as is provided that he should in section 6141, Revised Statutes 1881. The fact is, that the policy of conducting the business of the prison, and which policy was established before the present

Warden assumed its management, and strictly followed by him up to the present time, has been in direct violation of this section (6141), such transgressions of the law continuing, under the various administrations of the offices of Governor, Auditor and Treasurer of State, almost, if not indeed, since the establishment of the prison, and, while it was claimed that the ignoring of the statute is necessary to the success of the management, and has inured to the benefit of the State, we recommend that the statutes should either be strictly complied with, or that it should be repealed. The Prison North has, since the inception into office of the present Warden, not only sustained itself and added many valuable improvements without drawing upon the State Treasury, but has actually paid into the Treasury \$8,000 in cash and now holds over \$18,000 to the credit of the State. This condition of affairs reflects great credit upon the business sagacity of Warden Murdock.

Concerning the charge that the Warden has appropriated the slops and offal of the prison to his own use, your committee begs leave to report that they have examined into this charge and find that a contract exists between the Directors of the prison and the Warden by which the latter, in consideration of the payment by him of \$200.00 annually to the State, receives all the slops, grease and other offal of the prison. This disposition of the slops and offal has always been the custom at the prison and ante-dates the advent into office of the present Warden. The records of the prison show that periodically from March 11, 1869, to June 25, 1889, these contracts for slops, grease and offal have been made between Directors and Warden.

On page 146, record No. 2, February 16, 1882, we find supplemented to the minutes of the meeting of the Board of Directors, the following note:

"During the present meeting of the board, His Excellency, Governor Albert G. Porter, was present and made a complete and exhaustive examination of the accounts of the Warden, his receipts and disbursements and of his perquisites as such officer, and expressed himself as satisfied with his integrity and of the honest management of the officers of the prison."

(Signed) A. C. BERSON,
LEOPOLD LEVY,
W. T. HORINE.

Yet during the meeting referred to in the above, the usual slop contract was made with the Warden. Such contracts, while in our opinion they have always been made in good faith and honestly complied with, are certainly against the spirit, if not the letter of section 6140 R. S. and are impolitic and unwise for the reason that their execution calls for a criticism and suspicion of wrong doing. And although your committee is not prepared to say that the State could reap any financial advantage from the discontinuance of this method of disposing of the slop, we recommend a strict construction on the part of the Directors and the Warden of section 6140 and obedience thereto. We agree with the Governor in the recommendation that the salary of the Warden be sufficiently increased so as to justify the discontinuance of all perquisites and that the latter be turned into the prison fund for the benefit of the State. Your committee finds that the sanitary condition of the prison is extremely good, and for further information we refer the Senate to the report of the State Board of Charities, which embodies and covers this matter fully. For a detailed statement of the receipts and disbursements of the prison during the period covered by the examination, we refer you to the exhibit rendered under oath by the experts and members of the sub-committees of the Senate and House.

All of which is respectfully submitted to the Senate.

H. B. SMITH, Chairman,
CORTÉZ EWING,
H. H. FRANCIS,
JOHN SWEENEY,
JOHN F. MCHUGH.

While the facts stated as to Governor Porter appear on the records, I object to its incorporation in this report, because the same is surplusage and irrelevant.

A. E. HARLAN.
J. W. CASTER.

EXHIBIT A.

To the Joint Prison Committee of the House and Senate of the Indiana General Assembly:

GENTLEMEN: The committee appointed by you to examine the books of the Warden of the Prison North, to ascertain the

earnings and expenditures of said Prison, have examined the books and vouchers of said Warden from the fiscal year beginning November 1, 1888, beg leave to submit the following report:

The amount on hand, as shown by the legislative committees in their report, January 31, 1889.....		\$9,042 64
Receipts and earnings, November, 1888.....	8,832 14	
Receipts and earnings, December, 1888.....	9,205 26	
Receipts and earnings, January, 1889.....	9,347 19	
Total.....	<u>\$36,427 23</u>	

EXPENDITURES.

For November, 1888.....	\$11,374 01	
For December, 1888.....	10,259 93	
For January, 1889.....	9,800 03	
Total	<u>\$31,433 97</u>	

Receipts and earnings, February, 1889.....	\$5,490 43	
Receipts and earnings, March, 1889.....	9,473 27	
Receipts and earnings, April, 1889.....	9,198 27	
Total.....	<u>\$27,161 97</u>	

EXPENDITURES.

February, 1889.....	\$9,876 43	
March, 1889.....	7,335 66	
April, 1889.....	8,451 96	
Total	<u>\$25,664 05</u>	

Receipts and earnings May, 1889.....	\$9,663 49	
Receipts and earnings, June, 1889.....	9,815 29	
Receipts and earnings, July, 1889.....	9,810 78	
Total	<u>\$29,289 56</u>	

EXPENDITURES.

May, 1889.....	\$7,754 09
June, 1889.....	8,257 28
July, 1889.....	8,849 02
Total	<u>\$24,860 39</u>

Receipts and earnings, August, 1889.....	\$10,334 61
Receipts and earnings, September, 1889.....	9,209 08
Receipts and earnings, October, 1889.....	10,222 04
Total	<u>\$29,765 73</u>

EXPENDITURES.

August, 1889.....	\$6,981 65
September, 1889	5,391 16
October, 1889.....	5,645 75
Total	<u>\$18,018 56</u>

Receipts and earnings, November, 1889	\$9,268 66
Receipts and earnings, December, 1889.....	9,867 98
Receipts and earnings, January, 1890	9,934 91

EXPENDITURES.

November, 1889	\$12,334 84
December, 1889	8,857 50
January, 1890	9,613 12
Total	<u>\$30,805 46</u>

Receipts and earnings, February, 1890	\$9,162 15
Receipts and earnings, March, 1890.....	10,457 86
Receipts and earnings, April, 1890.....	9,731 79
Total	<u>\$29,351 80</u>

EXPENDITURES.

February, 1890	\$8,117 13
March, 1890	8,419 88
April, 1890	9,886 55
Total	<u>\$25,923 56</u>

Receipts and earnings, May, 1890	\$9,760 08
Receipts and earnings, June, 1890	9,300 64
Receipts and earnings, July, 1890	10,509 51
Total	<u>\$29,570 23</u>

EXPENDITURES.

May, 1890	\$8,269 98
June, 1890	7,372 89
July, 1890	8,247 42
Total	<u>\$23,890 24</u>

Receipts and earnings, August, 1890	\$9,183 15
Receipts and earnings, September, 1890	9,923 82
Receipts and earnings, October, 1890	11,214 57
Total	<u>\$30,321 54</u>

EXPENDITURES.

August, 1890	\$6,786 85
September, 1890	6,891 18
October, 1890	8,154 31
Total	<u>\$21,832 34</u>

Receipts and earnings, November, 1890	\$8,935 50
Receipts and earnings, December, 1890	10,809 35

EXPENDITURES.

November, 1890.....	\$13,059 81
December, 1890.....	9,434 26
Total	<u>\$22,494 07</u>

SUMMARY.

Total receipts and earnings	\$260,704 46
Deduct earnings turned into State Treasury as per Auditor of State's quietus on file.....	201,928 57
Balance.....	<u>\$58,775 89</u>
Paid vouchers for November and December, 1890.....	\$22,494 07
Electric light and oil plant, dining-room and new gate.....	18,952 86
Vouchers paid for January, 1891, and not audited..	3,208 42
Due from United States....	830 55
Total.....	<u>40,485 90</u>
Leaving net balance of earnings due State	<u>\$18,289 99</u>

This includes the expenditures for the month of January, 1891, to the amount of \$3,208.42 to date, but does not include any earnings for January, 1891, as they are not due and payable until the end of the month. The committee also examined the ledger balances for the entire term of the present Warden and found them correct.

Respectfully submitted,

[Signed.]

WALTER VAIL,
BRUCE CARR,
A. E. HARLAN,
R. K. ERWIN.

Report was concurred in.

On motion of Senator Kopelke the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

MONDAY MORNING.

FEBRUARY 9, 1891.

The Senate convened, pursuant to adjournment, at 11 o'clock, A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Senator Fulk.

After the reading of a portion of the Journal, on motion of Senator Ewing the further reading of the same was dispensed with.

President Chase appointed the following pages, term of service to begin February 7, 1891 :

Frank E. Chase, Danville, Hendricks County (soldier's son).

Willie Palmer, Marshall, Parke County (soldier's orphan).

James Braden, Marion County (soldier's son).

Senator Ewing, Chairman of the Committee on Elections, offered the following memorial :

To the Senate of Indiana :

The undersigned citizens and electors of Miami County, Indiana, who voted at the general election held in November, 1890, at which was elected a Senator for the counties of Miami and Howard, in said State, respectfully represent to your honorable body that at said election Milo W. Barnes received a majority of all the legal votes cast for Senator in said counties, and was legally elected as such Senator, and is entitled to a seat in this body.

That the Board of Election in said district, composed of said counties, failed and refused to count for the said Barnes more than one hundred votes which were legally and regularly cast and voted for him by qualified electors of said district, and by reason of such failure one Robert J. Loveland had an apparent majority of 17, and is now holding a seat in your body as a pretended member thereof, and is assuming to represent as Senator the said counties comprising said senatorial district.

Your memorialists respectfully pray this body to investigate the title of said Robert J. Loveland as such pretended Senator,

cause to be counted the votes as cast for Milo W. Barnes and not counted, and that the said Barnes be admitted as a member of said Senate from said district as a representative of the people who elected him, and we will ever pray.

ALBERT B. SWITZER,
M. W. REAM,
Co. B. 13 Ind. Vol. Inf.

I, Joseph H. Larimer, Clerk of the Miami Circuit Court, hereby certify that the above Albert B. Switzer and M. W. Ream signed the foregoing memorial in my presence and that they are and have been for two years last past *bona fide* citizens and legal voters of the County of Miami and State of Indiana.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Peru, Indiana, this 7th day of February, A. D. 1891.

JOS. H. LARIMER,
Clerk M. C. C.

Senator Ewing introduced, by request, Senate Bill No. 282, entitled:

A bill for an act to amend section 26, the same being section 5985 of the Revised Statutes of 1881, of an act fixing fees, salaries, duties and compensation of the officers and persons named therein, prohibiting the violation of its provisions and repealing certain laws.

That said section be amended to read as follows, to-wit.

Read first time and referred to Committee on Fees and Salaries.

Senator Ewing introduced Senate Bill No. 283, entitled:

A bill for an act to amend section 3, the same being section 5985 of the Revised Statutes of 1881, of an act prescribing the number and defining the powers and duties of constables.

That said section be amended to read as follows, to-wit.

Read first time and referred to the Committee on Fees and Salaries.

Senator Francis introduced Senate Bill No. 284, entitled :

A bill for an act to require building, loan and savings associations organized under the laws of this State to file semi-annual statements of their condition in the office of the Auditor of State, directing what said statements shall show, requiring an examination of such associations, providing for the winding up of the affairs of such associations when violating the law or conducting a dishonest or unsafe business, requiring the publication of copies of such statements, prescribing penalties for the violation of this act, fixing fees for filing statements and making examinations of such associations, prescribing the manner of paying said fees into the State Treasury, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator Grimes introduced Senate Bill No. 285, entitled :

A bill for an act to amend section nine (9) of an act entitled "an act to amend an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1873, the same being sections 4520 of the Revised Statutes of 1881, as amended under act approved March 2, 1889, and declaring an emergency.

Read first time and referred to the Committee on Education.

Senator Hays introduced Senate Bill No. 286, entitled :

A bill for an act abolishing the office of State Librarian and transferring the duties of such officer to the Custodian of Public Buildings and other matters connected therewith, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Holland introduced Senate Bill No. 287, entitled :

A bill for an act to amend Section two hundred and forty-three (243) of an act entitled: "An act concerning public offenses and their punishments," approved April 14, 1881, and being Section 2155 of the Revised Statutes of 1881, State of Indiana, and declaring an emergency."

Read first time and referred to Committee on Judiciary.

Senator Kopelke introduced Senate Bill No. 288, entitled :

A bill for an act to amend Section 76 of an act entitled: "An act concerning public offenses and their punishment," approved April 14, 1881, the same being Section 1974 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Senator Shockney, by request, introduced Senate Bill No. 289, entitled :

A bill for an act to amend Section 135 of an act entitled: "Decedents' estates," being Section 2360 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Senator Shockney, by request, introduced Senate Bill No. 290, entitled :

A bill for an act to amend Section 5905 of the Revised Statutes of 1881.

Read first time and referred to Committee on County and Township Business.

Senator Smith introduced Senate Bill No. 291, entitled :

A bill for an act making specific appropriation to build a sewer from the State Prison South to the Ohio river, and authorizing the Warden and Board of Directors to use any unexpended appropriation in buying grounds and building a brick wall at said prison, and declaring an emergency.

Read first time and referred to Committee on Prisons.

Senator Thompson (Marion) introduced Senate Bill No. 292, entitled :

A bill for an act to establish a Board of Health, composed of three members, in cities of fifteen thousand and over, and declaring an emergency.

Read first time and referred to Committee on Public Health.

Senator Thompson (Pulaski) introduced Senate Bill No. 293, entitled :

A bill for an act to fix the time for the commencement and expiration of the terms of office of County Auditors and County Treasurers, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Wiggs introduced Senate Bill No. 294, entitled :

A bill for an act providing for the election of Township Trustees, and repealing all laws in conflict therewith.

Read first time and referred to Committee on County and Township Business.

Senator Holland offered the following memorial :

BROOKVILLE, INDIANA, January 29, 1891.

To the General Assembly of Indiana :

WHEREAS, A bill is now before your honorable body to prohibit the killing of quail for some certain period of time ; and,

WHEREAS, Various animals, as skunks, polecats, foxes, weasels, minks, hawks and owls prey upon the quail from the time of the nesting to that period when the bird must die from natural causes, and so destroy many times what are killed by sportsmen ; and,

WHEREAS, After an open winter such birds are plentiful, while a severe winter will almost destroy the entire breed ; and,

WHEREAS, Certain parties who have signed petitions for the above mentioned law have publicly boasted that the passage of such a law would keep off the hunters and allow them—the petitioners—all the game they wanted on the quiet ; and,

WHEREAS, The law of Ohio does not open the season for quail until nearly a month after our own, thus inviting pot-hunters from outside to our borders; and,

WHEREAS, From all the above considerations, it would appear that the comparatively insignificant number of quail killed by sportsmen has really nothing to do with the number in the country five years hence; we, the undersigned, do therefore petition that you do not pass the above mentioned bill, prohibiting the killing of quail.

E. R. QUICK,

And seventy-five others.

Referred to the Committee on Agriculture.

Senator Holland presented the following memorial:

HEADQUARTERS THOMAS'G. HALL POST, No. 304, G. A. R. }
ANDERSONVILLE, IND., Jan. 24, 1891. }

To the State Senate, State of Indiana:

We, your petitioners, members of the Grand Army of the Republic and voters under the laws of the State of Indiana, respectfully request your honorable body to pass the Bill No. 15, known as an act concerning the Indiana Soldiers' and Sailors' Orphans' Home, praying that the same be made a law by your honorable body.

Number of members, 31.

JOHN W. CRAMER, Commander.

ATWELL MORGAN, Adjutant.

Read and referred to the Committee on Military Affairs.

Senator Howard presented the following memorial:

SOUTH BEND, February 2, 1891.

To the Hon. Timothy E. Howard,

Senator from St. Joseph and Starke Counties:

DEAR SIR AND COMRADE:

I have the honor of submitting herewith the following resolution, which was unanimously ordered at the meeting of this Post Friday evening, January 23, 1891:

Resolved, That the three hundred and nine members of Anten Post, No. 8, Department of Indiana, G. A. R., most heartily

endorse the bill which has been introduced in each branch of the General Assembly, and known as House Bill No. 6 and Senate Bill No. 15, and in memory of our departed comrades and the voice of their orphans appealing for aid and protection from the State of Indiana, we urge our Senators and Representatives to work and vote for the passage of said bill.

Yours in F., C. and L.,

JOHN FINCH, P. C.

W. H. H. RITTER, Adjutant.

Referred to Committee on Military Affairs.

Senate Bill No. 56, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 33, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 133, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 149, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senator Ewing made the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 61 to a special committee of one, with instructions to amend the same by striking out the word "three" after the word "viz." in line 6, on page 5, of Section 3 of the engrossed copy, and inserting therein the word "four."

Also, by striking out the word "three" after the word "interests," in line 8, same section and page of said bill, and inserting therein the word "one."

Also, by striking out the word "three" after the word "interests," in line 10, same page and section, and inserting therein the word "four."

Senator Ewing was appointed as such special committee.

Senator Ewing, of the special committee, to whom was referred Senate Bill No. 61 for amendment, made the following report:

MR. PRESIDENT :

Your special committee, to whom was referred Senate Bill No. 61, with instructions to amend the same, would report that the same has been amended as instructed.

On motion of Senator Hays the motion and amendment of Senator Ewing were ordered printed, and the consideration of Senate Bill No. 61, with amendments, was made the special order for next Wednesday at 10 o'clock A. M.

Senator Harlan introduced Senate Bill No. 295, entitled :

A bill for an act authorizing cities to construct, purchase, extend, own and operate water works, natural and artificial gas plants and electric light plants, providing the manner of making and collecting assessments, and of issuing bonds and raising revenue therefor.

Read first time and referred to Committee on Cities and Towns.

Senator Akin introduced Senate Bill No. 296, entitled :

A bill for an act to fix the salaries of the Wardens and Deputy Wardens of the State Prison South and the State Prison North and declaring an emergency.

Read first time and referred to Committee on Prisons.

Senate Bill No. 137 was read a second time, together with the report of the committee thereon.

Senator Shockney moved to non-concur in the report of the committee.

Which motion was lost.

Then Senator Ewing moved to concur in the report of the committee.

On motion of Senator Jones, the Senate adjourned in.

MONDAY AFTERNOON.

FEBRUARY 9, 1891.

The Senate convened at 2 o'clock p. m., Lieutenant-Governor Chase in the chair.

Senator McGregor was granted leave of absence on account of sickness.

Senators Magee, Howard and Shockney, as special committee, made the following report on Senate Bill No. 275:

MR. PRESIDENT:

Your special committee, to whom was referred Senate Bill No. 275, introduced by Senator Magee, recommend that the same be printed.

The report of the committee was concurred.

The question being on Senator Ewing's motion to concur in the report of the committee on Senate Bill No. 137.

The ayes and noes being demanded by Senators Hays and Grimes.

The roll was called, which resulted as follows:

Those voting in the affirmative were: .

Senators Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, Fulke, Griffith, Grimes, Hayden, Holcomb, Holland,

Hudson, Jackson, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Shockney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 26.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Howard, Hubbell, Kennedy, Moore, Mount, Shanks, Yaryan. Total, 17.

The report was concurred in.

Senator Foley offered the following amendment to Senate Bill No. 137:

MR. PRESIDENT :

I move to amend Senate Bill No. 137 by striking out the word "Auditor," in section 1, lines 26 and 40, and insert in lieu thereof the word "Treasurer."

The amendment was adopted.

Senator Shockney offered the following amendment to Senate Bill No. 137:

MR. PRESIDENT :

I move to amend the bill by striking out the words, "fourteen thousand," in line 13 of said bill, and insert in lieu thereof the words, "thirteen thousand."

The amendment failed of adoption.

Senator Kopelke offered the following amendment to Senate Bill No. 137:

MR. PRESIDENT :

I move to amend Senate Bill No. 137 by adding in line 12, of Section 1, of the substitute reported by the committee, after the word "cities," the words: "Having twenty-nine thousand or more inhabitants, and."

The amendment was adopted.

Senator Howard offered the following amendment to Senate Bill No. 187:

MR. PRESIDENT:

I move that substitute for Senate Bill No. 187 be amended as follows:

In Section 1, lines 12 to 16, of the printed substitute, strike out all after the words "all cities," in line 12, down to and including the words "public instruction for the year 1890," in line 16, and insert in lieu thereof the following words: "Of the State of twenty thousand or more inhabitants, according to the last preceding United States census."

The ayes and noes being demanded on the adoption of the amendment by Senators Boyd and Shockney.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Howard, Hubbell, Loveland, Magee, Moore, Mount, and Shoekney. Total, 18.

Those voting in the negative were:

Senators Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, Fulk, Grimes, Hayden, Holcomb, Holland, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Morgan, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, and Yaryan. Total, 27.

So the amendment failed of adoption.

Senator Foley was granted permission to withdraw his amendment and offered the following as a substitute:

Senator Foley offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 187, as reported by the committee, by adding in line 18 of section 1 of the substitute, after the word "Secretary" the word "Treasurer," and the same in lines 26, and 40, and 42 of said section 1; and, also, the same in line 14 of section 2 of said bill.

The amendment was adopted.

Senator Shockney offered the following amendment to Senate Bill No. 137 :

MR. PRESIDENT :

I move to amend Senate Bill No. 137 by adding to section the following words: *Provided*, That the provisions of this bill shall not apply to any city if a majority of the citizens of such city shall decide, at an election held for that purpose, that they do not desire to be controlled by the terms of this act.

The ayes and noes were demanded by Senators Shockney and Grose on the adoption of Senator Shockney's amendment.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 15.

Those voting in the negative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Morgan, Moore, Smith, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Wiggs. Total, 30.

So the amendment did not prevail.

Senate Bill No. 137, as amended, was then ordered engrossed.

Senate Bill No. 132, together with the report of the committee thereon, was read a second time.

Senator Hays moved to concur in the report of the committee.

Which motion did not prevail.

Senator Kopelke moved that the further consideration of Senate Bill No. 132 be indefinitely postponed.

The motion was adopted.

Senate Bill No. 5, together with the report of the committee thereon, was read a second time.

Senator Holcomb moved that the bill be engrossed.

Which motion prevailed.

Senate Bill No. 79, together with the report of the committee thereon, was read a second time.

Senator Magee moved that the bill be engrossed.

Which motion prevailed.

Senate Bill No. 11, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 217, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Ewing offered the following amendment, and moved its adoption :

MR. PRESIDENT:

I move to amend Senate Bill No. 217 by striking out sections 4 and 5 thereof.

The amendment was adopted, and the bill was ordered engrossed.

Senator Byrd introduced Senate Bill No. 297, entitled :

A bill for an act to amend an act entitled "An act to establish a Board of Children's Guardians in townships having a population of more than seventy-five thousand persons, defining the powers and duties of said Board, providing for a special tax for the establishment and maintaining of homes under the care of such Boards, and declaring an emergency." (Approved March 9, 1889.)

Read first time and referred to the Committee on Benevolent Institutions.

On motion of Senator Byrd, Engrossed House Bill No. 13 was recalled from the Committee on Labor and referred to the Committee on Mines and Mining.

Senator Foley introduced Senate Bill No. 298, entitled:
 A bill for an act defining legal voters at school meetings.
 Read first time and referred to the Committee on Education.

Senator Sweeney was granted leave of absence for the day.

Senator Grimes, by request, offered the following resolution:

RESOLUTIONS ADOPTED BY THE VIGO FARMERS' INSTITUTE.

PROTECTION OF BIRDS.

Be it Resolved, That we, the farmers of Vigo County, do memorialize the Legislature of Indiana for the passage of a law which will afford adequate protection to the native insectivorous birds of the State, and at the same time provide for the scientific and economic investigation of the same, and that we commend the work of the Indiana Academy of Science, looking toward the accomplishment of this result.

APPROPRIATION FOR FARMERS' INSTITUTES.

Resolved, That the Legislature be requested to continue the appropriation for holding institutes in the various counties of the State for another term of two years.

APPROPRIATION FOR WORLD'S FAIR.

Resolved, That we favor a liberal appropriation for a State exhibit at the World's Fair at Chicago, in 1893, for the purpose of fully displaying the products and resources of our great State to the multitudes there assembled from all parts of the world.

The above is a copy of resolutions adopted by the Vigo County Farmers' Institute, January 13, 1891, there being in attendance three hundred or more farmers and others from Vigo County.

CHARLES C. OAKLEY,
 Secretary.

Referred to Committee on Agriculture.

Senate Bill No. 170, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

On motion of Senator Magee the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

TUESDAY MORNING.

FEBRUARY 10, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by President Chase.

After the reading of a portion of the Journal, on motion of Senator Griffith the further reading of the same was dispensed with.

Senator Howard was granted permission to recall Senate Bill No. 294 from the Committee on Judiciary, and to withdraw the same from the files of the Senate.

Senator Griffith introduced Senate Bill No. 299, entitled:

A bill for an act concerning highways.

Read first time and referred to Committee on Roads.

Senator Yaryan introduced Senate Bill No. 300, entitled:

A bill for an act concerning expert testimony.

Read first time and referred to Committee on Judiciary.

Senator Yaryan also introduced Senate Bill No. 301, entitled :

A bill for an act providing for the protection of physicians, surgeons, dentists, editors, authors, publishers, artists, architects, designers, and engravers, against speculative law suits.

Read first time and referred to Committee on Judiciary.

Senator Yaryan offered the following memorial :

To the Hon. John Yaryan, Senator ; Hons. A. C. Lindemuth and Nathan Harlan, Representatives, Members of the General Assembly of the State of Indiana :

GENTLEMEN—

We, the undersigned citizens of Wayne County, Indiana, respectfully call your attention to enclosed copies of a bill for an act providing for the protection of physicians, surgeons, dentists, editors, authors, publishers, artists, architects, designers and engravers against speculative law suits, and of a bill for an act concerning expert testimony.

It is our belief that legislative action is imperatively demanded in relation to the matters set forth in these bills, that the rights of the professions named may be protected and the interests of justice furthered ; matters in which all the citizens of the State are concerned, therefore, we petition that when said bills, or their equivalents, come before the General Assembly for action, you will by your influence and vote favor their passage.

C. S. BOND,
And forty others.

Referred to Committee on Judiciary.

Senator Yaryan introduced Senate Bill No. 302, entitled :

A bill for an act to amend an act entitled "An act to establish a Board of Childrens' Guardians in townships having a population of more than 75,000 persons, defining the powers and duties of said Board, providing for a special township tax for the establishment and maintaining of homes under the care of such Boards, and declaring an emergency, approved March 9, 1889, page 261.

Read first time and referred to Committee on Benevolent Institutions.

Senator Shanks introduced Senate Bill No. 303, entitled :

A bill for an act to create a State Board of Railroad and Corporation Commissioners, defining their powers and duties, requiring certain reports to be made to said Board of Railroad and Corporation Commissioners by railroads and other corporations, prescribing penalties for the violation of the provisions of this act, fixing the compensation of said Commissioners and their Clerk, providing for their expenses, levying a tax on said corporations to pay the salaries and expenses of said Commission, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Howard presented the following memorial :

HEADQUARTERS DEACON POST No. 115,
DEPARTMENT OF INDIANA, G. A. R.,
NEW CARLISLE, IND., Feb. 7, 1891. }

Hon. Timothy E. Howard, Indianapolis, Indiana :

DEAR SIR AND COMRADE—The members of this Post, assembled at a regular meeting at the above date, adopted the following resolution :

Resolved, That we are in favor of the passage of the bill known as House Bill No. 6 and Senate Bill No. 15, and would respectfully request and urge the member of the State Legislature from St. Joseph County to support and vote for the said bill.

Yours with much respect,

WM. BEMMERITT,
Commander.

W. H. DEACON,
Adjutant.

Read and referred to Committee on Military Affairs.

The special order for this hour being the consideration of Senate Bill No. 97.

Senator Shockney offered the following motion :

MR. PRESIDENT :

I move to amend the report of the Committee on Public Health on Senate Bill No. 97 by recommending that all after the enacting clause be stricken out, and the following inserted in lieu thereof, to-wit :

That the Township Trustees of the several townships of the State are required to procure medical and surgical aid for the poor of their respective townships, and any physician or surgeon employed by the trustee of any township who renders any medical or surgical aid under such employment shall file an itemized statement of such service with the Auditor of the county, to which the claimant shall attach an affidavit, sworn to by him, that such services were necessary, and with the amounts charged, and the same has not been paid, and is not collectible by law on account of the poverty of the person for whom rendered, and he shall file with the said claim the certificate of the Township Trustee that before said services were rendered he directed and employed the said physician or surgeon to perform the same, and that the person for whom they were rendered is, and was a pauper, and had no property or means out of which the same, or any part, could be collected, and that when these requirements are complied with by such physician or surgeon, the Board of Commissioners are authorized to allow whatever such services are reasonably worth.

SEC. 2. That all laws and parts of laws in conflict with this act are hereby repealed.

The motion prevailed, and the substitute therefor was adopted.

Senator Shockney offered the following memorial :

GOSPORT, IND., February 7, 1891.

To the Honorable Senators and Representatives of the State of Indiana, now in session :

WHEREAS. There is a bill before your honorable body, and which is made a special order for 10 o'clock A. M. next Tuesday, known as Mr. Shockney's bill, requiring that Township Trustees shall, in procuring medical aid for the poor of their districts who are not confined in the institutions thereof, shall permit the aforesaid paupers to select their own physicians, etc.; and,

WHEREAS, We believe it is just and right that the poor be allowed their choice of physicians, and that it is humane; that if it is charity to render them medical aid, why not allow them to make their own selection, and believing it a prescribed and unjust hypocritical charity to do otherwise, we, the undersigned citizens and tax-payers of Owen County, Indiana, do pray you to support said bill, believing it is just and right from every standpoint. If a man is poor, satisfy the mind as well as administer relief otherwise.

All of which is respectfully submitted.

Signed by :

H. E. CROUCH,
JOHN MILLER,
And numerous others.

GOSPORT, IND., February 9, 1891.

Hon. Ira Chase, Lieutenant-Governor :

DEAR SIR :

Will you please have this petition presented to the Senate in favor of Mr. Shockney's bill. These names were obtained in a half hour's time. Could get 1,000 if we had time. For the paltry sum of a few dollars the pauper practice is let generally to the class of physicians of little experience and a like ability, and the poor are not permitted to have any choice. It is morally wrong, and it is hoped the bill will pass.

Yours truly,

J. W. SMITH.

Senator Byrd moved to amend Senator Shockney's motion as follows:

That the further consideration of Senate Bill No. 97 with amendments be indefinitely postponed.

The ayes and noes being demanded by Senators Byrd and Chandler.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Grimes, Hayden, Howard, Jackson, Jones, Kennedy, Kopelke, Lynn, Magee, Moore, Shanks, Smith, Sweeney, Thompson of Huntington, Wiggs. Total, 23.

Those voting in the negative were:

Senators Akin, Boyd, Carver, Caster, Clemans, Gilman, Hanley, Harlan, Hays, Holcomb, Holland, Hubbell, Hudson, Kerth, Loveland, McHugh, Morgan, Mount, Shockney, Thompson of Marion, Yaryan. Total, 21.

The motion to amend was adopted, and the bill was indefinitely postponed.

Senator Shockney offered the following resolution, and moved its adoption:

Resolved, By the Senate that House Bills shall after first reading in the Senate be referred to a like committee as the one which considered it in the House.

The resolution was adopted.

Senator Magee, chairman of Committee on Finance, made the following report on Engrossed Senate Bill No. 100:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred Senate Bill No. 100, having considered the same, recommend that the bill do pass.

MAGEE,
Chairman.

The report was concurred in.

Senator Magee also made the following report on Senate Bill No. 145:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred Senate Bill No. 145, having considered the same, recommend that the bill do pass.

MAGEE,
Chairman.

The report of the committee was concurred in.

Engrossed Senate Bill No. 166 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grose, Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Kennedy, Kerth, Kopelke, Loveland, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 43.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 149 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Clemans, Ellison, Fulk, Griffith, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Kennedy, Kerth, Kopelke, Loveland, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs, and Yaryan. Total, 38.

Those voting in the negative were:

Senators Chandler, Ewing, Foley, Hayden, and Jones. Total, 5.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 135 was read a third time.

The question being, Shall the bill pass?

The roll was called which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Koppelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson, of Pulaski, Wiggs and Yaryan. Total, 42.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

On motion of Senator Burke the Senate adjourned.

TUESDAY AFTERNOON.

FEBRUARY 10, 1891.

The Senate convened at 2 o'clock p. m., Lieutenant-Governor Chase in the chair.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 454, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Engrossed House Bill No. 454, entitled :

A bill for an act regulating the liability of railroad and other corporations, except municipal, for personal injuries to persons employed by them, providing that defects in machinery, etc., shall be *prima facie* evidence of negligence on the part of the corporation, and that the decisions or statutes of other States shall not be pleaded or proven as a defense in this State, declaring certain contracts between the corporation and its employees void, that rights of action shall survive to the legal representatives of the injured person in case judgment is reversed by the Supreme Court of this State, and declaring an emergency.

Read first time and referred to the Committee on Labor.

Engrossed Senate Bill No. 6 was read a third time.

On motion of Senator Grimes the further consideration of Senate Bill No. 6 was made the special order for next Friday afternoon at 2 o'clock.

On motion of Senator Magee 75 copies of Senate Bill No. 6 were ordered printed.

Engrossed Senate Bill No. 183 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Carver, Caster, Chandler, Clemans, Ellison, Foley, Francis, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 41.

Senator Burke voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed Senate Bill No. 175 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, Fulk, Griffith, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 43.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 56 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Clemans, Foley, Francis, Hanley, Hays, Jackson, Loveland, Magee and Shockney. Total 9.

Those voting in the negative were:

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Ellison, Ewing, French, Fulk, Gilman, Grose, Holcomb, Holland, Howard, Jones, Kennedy, Kerth, Kopelke, McHugh, Moore, Morgan, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 80.

So the bill failed to pass.

Engrossed Senate Bill No. 58 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Magee, Moore, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 40.

No Senator voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Senator Hobson was granted leave of absence for the remainder of the day.

Senator Hayden moved to adjourn.

The motion did not prevail.

Engrossed Senate Bill No. 217 was read a third time and put upon its passage.

The question being on the passage of the bill.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Clemans, Ewing, Foley, Francis, Griffith, Grimes, Hanley, Harlan, Hayden, Holcomb, Howard, Hubbell, Jackson, Kennedy, Loveland, McHugh, Mount, Smith, Sweeney, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, and Yaryan. Total, 27.

Those voting in the negative were:

Senators Burke, Chandler, Ellison, French, Fulk, Gilman, Grose, Hays, Hudson, Jones, Kopelke, Magee, Moore, Shanks, Shockney, Thompson of Marion, and Wiggs. Total, 17.

So the bill passed.

The question being, Shall the title to the bill stand as the title to the act?

Senator Ewing moved that the title be amended by striking out the words, "and declaring an emergency."

Which motion prevailed.

So the title to the bill as amended was declared to be the title to the act.

Engrossed Senate Bill No. 83 was read a third time.

Senator Burke moved to adjourn.

The motion was lost.

Senator Mount offered the following motion:

MR. PRESIDENT:

I move that amended Senate Bill No. 83 be referred to a special committee, with instructions to amend the bill as to provide that upon the petition of a majority of the voters of any township, the County Commissioners shall allow stock to run at large in such township.

Senator Burke moved to adjourn.

The motion was lost.

Senator Magee moved to adjourn.

The motion was lost.

On motion of Senator Ewing the motion of Senator Mount to refer Senate Bill No. 83 to a special committee was laid on the table.

On motion of Senator Burke the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

WEDNESDAY MORNING.

FEBRUARY 11, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. Oscar McCulloch, of Plymouth Church, Indianapolis.

After the reading of a portion of the Journal, on motion of Senator McHugh, the further reading of the same was dispensed with.

Senator Hays was granted indefinite leave of absence.

Senator Mount introduced Senate Bill No. 304, entitled :

A bill for an act regulating foreign live stock insurance companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith and prescribing penalties for the violation of the provisions of the act.

Read first time and referred to Committee on Insurance.

Senator Kennedy introduced Senate Bill No. 305, entitled :

A bill for an act creating a Board of Claims in each of the townships of this State; defining the duties and compensation of the members thereof; defining the duties of Township Trustees in connection therewith; defining the duties of County Commissioners in certain cases, and fixing penalties for the violation of this act.

Read first time and referred to Committee on County and Township Business.

Senator Fulk introduced Senate Bill No. 306, entitled :

A bill for an act entitled an act requiring the Clerks of all cities and incorporated towns within the State of Indiana to file with the City Council of cities and Boards of Trustees of incorporated towns, on or before the first Monday of June in each year, a full and complete list of all the receipts and disbursements of said cities and incorporated towns for the year

last past, and requiring said Boards to examine said reports and approve or reject the same; and when so examined and approved, that the Clerks of all cities and incorporated towns be required to have the same published, and providing penalties for failure to comply with the provisions thereof, and all other matters properly connected therewith, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator McHugh introduced Senate Bill No. 307, entitled:

A bill for an act to authorize the formation of corporations for the purpose of laying pipe lines and transporting petroleum.

Read first time and referred to Committee on Judiciary.

Senator Foley introduced Senate Bill No. 308, entitled:

A bill for an act to grant a right of way through the southwest quarter of the north-east quarter of section seven (7), township fifteen (15) north of range four (4) east, Marion County, State of Indiana, and being further described as follows, to-wit: A strip of land sixty feet in width, bounded and described as follows: Beginning at a point on the north line of English Avenue, and 381-33 feet east of the east line of State Avenue; thence north 47 degrees and 37 minutes, west 500-20 feet measured to the east line of State Avenue, on a line parallel to and forty (40) feet north-easterly from the center of the main track of the Cleveland, Cincinnati, Chicago & St. Louis Railway as now constructed over and across the north-east quarter of said section seven; thence north eighty (80) feet; thence south 47 degrees and 37 minutes, east 617-85 feet to the north line of English Avenue, measured parallel to and one hundred (100) feet north-easterly from the center of said main track; thence west eighty-one (81) feet to the place of beginning, and containing an area of seventy-seven one hundredths acres, more or less, defining the location and width thereof, and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Senator French introduced Senate Bill No. 309, entitled :

A bill for an act to regulate the practice of pharmacy in the State of Indiana.

Read first time and referred to Committee on Public Health.

Senator Hudson introduced Senate Bill No. 310, entitled :

A bill for an act appropriating \$2,010.16 to pay the claim of Augustus Bruner on account of contracts for constructing a brick sewer, three feet in diameter, along the west side of the State House grounds, from Ohio street to Market street, in the city of Indianapolis; and for constructing a brick sewer, three feet in diameter, along Pennsylvania street on the east side of University Park and of the Blind Asylum grounds, in the city of Indianapolis, and declaring an emergency.

Read first time and referred to Committee on Claims.

Senator Hanley introduced Senate Bill No. 311, entitled:

A bill for an act creating the office of County Attorney, providing for the appointment, defining the duties, and fixing the salary thereof, repealing all laws in conflict with this act, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hudson moved to suspend the regular order of business, and continue the introduction of bills.

The motion prevailed.

Senator Sweeney introduced Senate Bill No. 312, entitled :

A bill for an act to amend section 41 of an act entitled "An act concerning taxation," approved March 29, 1881.

Read first time and referred to Committee on County and Township Business.

Senator Wiggs offered the following memorial:

To the Honorable the Senate and House of Representatives of the State of Indiana :

The undersigned residents of Pike County, in the State of Indiana, living along the line of the Evansville and Indianapolis Railway, respectfully petition the enactment of a law at

your present session for the correction of existing evils, hereinafter set out, by which your petitioners feel themselves wronged and outraged by and through the management of said railroad, in this that said management, contrary to all justice, have for years discriminated against our chief shipping point—Petersburg—higher freight rates being charged shippers at that point than from any other place along the line of said road for a like distance, and while charging the highest possible rates give in return the poorest possible services, thereby driving from our town and county much business that properly belongs to us; that the coaches furnished the traveling public are such cars as other railroads use for the conveyance of stock and emigrants, while the rates exacted for transportation are as much or more than that of any railroad in the State; that frequent complaints have been made by shippers and the traveling public; the answer given to the former is poorer accommodations and the raising of rates, and to the latter no attention. We think such a law as would prevent discrimination in freight rates, and fixing a reasonable amount for transportation should be enacted, and that when the managers of a railroad persist in giving fourth-class coaches to the public they should be required to receive in payment for their service one-fourth the rates charged where good service is rendered.

We, as citizens of our great State, pray that some action be taken in this matter, and that people who outrage the public with impunity be made to realize that there is a higher and superior power than the Board of Directors of a grape-vine railroad.

GEO. J. NICHOLS,
And fifty others.

Referred to Committee on Railroads.

Senator Ellison, by request, offered the following memorial:

The following resolution was adopted at a regular Post meeting February 7, 1891:

Resolved, That Ira B. Harrell Post, No. 548, G. A. R., of Vallonia, Jackson County, Indiana, heartily approve of the bill introduced in each branch of the General Assembly of Indiana, being House Bill No. 6 and Senate Bill No. 15, providing

for appropriations for the Soldiers' and Sailors' Orphans' Home, and as the appropriations provided for in said bill are all needed, we therefore respectfully ask the Hon. D. H. Ellison and the Hon. A. G. Osterman to support the bill as introduced, and that they be furnished with a copy of this resolution.

[Official.]

P. L. DAVIS,
Commander.

FRED. J. MEYER,
Adjutant.

Referred to Committee on Military Affairs.

Senator Grose, by request, offered the following petition :

To the Honorable, the General Assembly of the State of Indiana:

The undersigned, a citizen and tax-payer of the State of Indiana, would respectfully petition your honorable body, that inasmuch as the State of Indiana is largely in debt and in need of money to defray pressing liabilities, would respectfully request your honorable body to pass a resolution requesting our Senators and Representatives in Congress to urge the passage of the bill refunding to the State of Indiana what is known as the direct tax, amounting to about eight hundred thousand dollars, as an act of simple justice to the tax-payers of Indiana. As in duty bound will ever pray.

GEORGE ARNOLD.

Referred to Committee on Federal Elections.

Senator Burke, chairman of the Committee on Judiciary, offered the following majority report on Senate Bill No. 259 :

MR. PRESIDENT:

A majority of your Committee on Judiciary, to whom was referred Senate Bill No. 259, introduced by Senator Hubbell, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Senator Hubbell offered the following minority report :

MR. PRESIDENT:

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 259, beg leave to report on said bill recommending that it do pass.

The bill and reports were ordered printed.

Senator Burke, Chairman of the Committee on Judiciary, made the following majority report on Engrossed House Bill No. 111:

MR. PRESIDENT:

The undersigned, constituting a majority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 111, introduced by Representative Fowler, beg leave to report on said bill, recommending that it do pass.

FRANK B. BURKE,
S. A. HAYS,
F. M. GRIFFITH,
O. Z. HUBBELL.

The following minority report was presented on Engrossed House Bill No. 111:

MR. PRESIDENT:

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 111, introduced by Representative Fowler, beg leave to report on said bill, recommending that it be indefinitely postponed.

JOHN F. McHUGH,
J. KOPELKE,
CORTEZ EWING.

The bill and reports were ordered printed.

Senator Burke, chairman of Committee on Judiciary, also made the following majority report on Senate Bill No. 286:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to whom was referred Senate Bill No. 286, introduced by Senator Hays, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The following minority report was presented on Senate Bill No. 286:

MR. PRESIDENT:

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 286, beg leave to report on said bill, recommending that it do pass.

HAYS,

The bill was ordered to lie upon the table,

Senator Burke, chairman of Committee on Judiciary, also made the following majority report on Senate Bill No. 257:

MR. PRESIDENT:

The undersigned, constituting a majority of your Committee on Judiciary, to whom was referred Senate Bill No. 257, introduced by Senator Fulk, beg leave to submit a report on said bill, recommending that it be indefinitely postponed.

FRANK B. BURKE,
O. Z. HUBBELL,
F. M. GRIFFITH,
J. KOPELKE,
S. H. HAYS.

The following minority report was presented on Senate Bill No. 257:

MR. PRESIDENT:

The following members of your Committee on Judiciary, to whom was referred Senate Bill No. 257, introduced by Senator Fulk, would recommend that the same be amended by striking out the word "payment" in line 15, page 1, of said bill; also, by striking out the word "payment" in line 20, same page, and that when so amended the same do pass.

The bill was ordered printed.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 272:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 272, introduced by Senator Loveland, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Report of committee concurred in,

Senator Burke also offered the following report on Engrossed House Bill No. 326:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 326, introduced by Representative Beasley, beg leave to report the same back to the Senate, with the recommendation that the bill be amended by striking out the words "rights, privileges, perquisites, immunities," in section 1 of said bill; by placing the words "Section 1" before the enacting clause; and that, when so amended, the bill do pass.

Senator Burke also made the following report on Senate Bill No. 274:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 274, introduced by Senator Magee, beg leave to report the same back, with the recommendation that the bill be indefinitely postponed.

The bill was ordered printed.

Senator Burke also made the following report on Senate Bill No. 288:

MR. PRESIDENT:

I am directed by the Judiciary Committee, to whom was referred Senate Bill No. 288, introduced by Senator Kopelke, to report the same back, with the recommendation that the bill do pass.

Senator Burke also made the following report on Senate Bill No. 287:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 287, introduced by Senator Holland, beg leave to report the same back, with the recommendation that it do pass.

Senator Burke also made the following report on Senate Bill No. 246:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 246, introduced by Senator Hays, beg leave to report the same back, with the recommendation that the bill do pass.

Senator Burke, chairman of the Committee on Judiciary, made the following majority report on Engrossed House Bill No. 305:

MR. PRESIDENT:

The undersigned, constituting a majority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 305, introduced by Representative Morris, of Henry County, beg leave to report on said bill, recommending that it be indefinitely postponed.

FRANK B. BURKE,
J. KOPELKE.
F. M. GRIFFITH.

Senator Hays made the following minority report on Engrossed House Bill No. 305:

MR. PRESIDENT:

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 305, introduced by Representative Morris, of Henry, beg leave to report on said bill, recommending that it do pass.

HAYS.
HUBBELL.

Senator Burke, chairman of the same committee, also made the following majority report on Engrossed House Bill No. 103:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 103, introduced by Representative Harrell, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Senator Kopelke, from the same committee, made the following minority report on Engrossed House Bill No. 103:

MR. PRESIDENT:

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 103, introduced by Representative Harrell, beg leave to submit a report recommending that the bill pass.

J. KOPELKE.

Ordered printed.

Senator Burke also made the following report on Senate Bill No. 284:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 284, introduced by Senator Francis, beg leave to report the same back, recommending that the bill be printed.

The report of the committee was concurred in.

Senator Burke also made the following report on Senate Bill No. 111:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 111, introduced by Senator Jones, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report of the committee was concurred in.

Also the following report on Senate Bill No. 263:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 263, introduced by Senator Ewing, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Order to lie upon the table.

Senator Burke, chairman of the Committee on Judiciary, offered the following report on Senate Bill No. 209:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 209, introduced by Senator Grimes, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report of the committee was concurred in.

Senator Burke, chairman of the same committee, also offered the following report on Engrossed House Bill No. 259:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 259, introduced by Representative Glessner, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report of the committee was adopted.

Senator Burke, chairman of the same committee, also offered the following report on Engrossed House Bill No. 70:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 70, introduced by Representative Fippen, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The bill was ordered to lie upon the table.

Senator Burke, chairman of the same committee, also offered the following report on Engrossed House Bill No. 2:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 2, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Engrossed Senate Bill No. 137 was read a third time and put upon its passage.

The question being on the passage of the bill.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 82.

Those voting in the negative were:

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hobson, Hubbell, Loveland, Mount, Shockney, Yaryan. Total, 14.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 312, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 69, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 5, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 127, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 48, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 8, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 73, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 15, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 13, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 562, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 22, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 184, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 409, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has refused to pass Senate Bill No. 88, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senator Howard offered the following resolution:

MR. PRESIDENT:

I offer the following resolution:

Resolved, That the Senate now go into committee of the whole for the consideration of Senate Bill No. 28.

The resolution was adopted.

The special order for this hour being the consideration of Senate Bill No. 28, the Senate went into the committee of the whole.

Lieutenant-Governor Chase called the Senate to order at 4 o'clock P. M.

Senator Burke, chairman of the committee of the whole, reported that the committee had made progress in the consideration of Senate Bill No. 28 and desired to sit again after the "Mexican Veterans" had retired from the Senate Chamber.

Senator Magee offered the following resolution and moved its adoption:

WHEREAS, There are now present in the Senate Chamber the survivors of the Mexican War, and

WHEREAS, These survivors are the remnant of those gallant men, who, by their valor, patriotism and courage, added imperishable honor to their country; therefore be it

Resolved, That the courtesies of the Senate be and are hereby extended to them, and that the Senate take a recess of ten minutes in order to extend to each of these venerable and gallant men the personal good wishes of individual Senators.

The resolution was unanimously adopted.

On motion of Senator Magee, Senators Thompson of Marion, Burke of Clark, Shockney of Randolph, and Boyd of Hamilton, were appointed the committee to escort the Mexican Veterans to the Senate Chamber.

The Mexican Veterans appeared on the floor of the Senate and were cordially welcomed and greeted by President Chase and the Senators.

Appropriate addresses were made by Lieutenant-Governor Chase, General Manson, and Senators Howard and Grose, after which the veterans retired from the Senate Chamber and the Senate resumed business.

On motion of Senator Ewing the consideration of Senate Bill No. 61 was made the special order for 2 o'clock to-morrow afternoon.

Senator Howard offered the following resolution, and moved its adoption :

Resolved, That the Senate now again go into Committee of the Whole to continue the consideration of Senate Bill No. 28.

The resolution was adopted.

At 5:05 the President called the Senate to order.

Senator Burke, chairman of the Committee of the Whole, made the following report :

MR. PRESIDENT :

I am directed by the Committee of the Whole Senate to inform the Senate that the committee have had under consideration Senate Bill No. 28, and recommend the following amendments :

That the printed bill be amended as follows :

In Section 3, line 1, after "Judges," insert the following :

"Except as hereinafter otherwise provided."

Also, in Section 4, add to said section :

"The terms of the Judges first elected shall be as follows: For the First District two (2) years ; for the Second and Third Districts three years ; for the Fourth and Fifth Districts four years from the first day of January next ensuing their election, but their successors by election shall each hold for a term of four years, except in case of election to fill a vacancy."

Also amend section 8 by inserting after the words, "in the same manner," in line 3, the following, to-wit: "That for the additional services required of the Clerk of the Supreme Court by the provisions of this act the said Clerk shall be entitled to an annual compensation of three thousand dollars, in addition to the compensation now provided by law, or that may hereafter be so provided ; out of which annual compensation of three thousand dollars the said Clerk shall pay the compensation of such deputies or assistants as may be necessary to enable him to discharge the duties imposed upon him by the provisions of this act. Said sum of three thousand dollars shall be collected and returned by said Clerk out of the fees and costs which accrue in cases decided by said Appellate Court, and the remainder of such costs or fees which accrue in cases decided by said Court shall be paid over as is now, or may hereafter be provided by law for the payment of fees and costs collected in cases decided by the Supreme Court ; but in the event that no act is passed providing for the payment of fees and costs into the treasury, then the said Clerk shall retain all fees and costs as now provided in respect to fees and costs in cases decided by the Supreme Court."

Also amend section 11, in line 1, by striking out the words, "the Auditor of State," and insert in lieu thereof the words, "the Custodian of Public Buildings and Property."

Also amend section 15 by striking out all of section 15 after the word "court," in line 2, and insert the following: "And they shall adopt the same uniform rules of practice as govern the Supreme Court."

Also, amend section 23 by striking out said section, and substitute the following :

Section 23. When in said Appellate Court new and important questions shall be decided and an opinion filed, such opinion shall be published in manner and form as the reports of the Supreme Court are now, or may hereafter be, published, and the Reporter shall perform the duties required by virtue of this act as a part of his official duties, and such reports shall be called the "Indiana Appellate Court Reports."

Also, amend section 24 by adding after the words "There shall be taxed" the words "to the losing party."

And we recommend that when the bill is so amended that it do pass.

FRANK B. BURKE,
Chairman.

Senator Burke moved that the report of the committee be concurred in.

The ayes and noes being demanded by Senators Fulk and French.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Carver, Clemans, Ellison, Ewing, Foley, Griffith, Grimes, Hanley, Harlan, Hayden, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Loveland, McHugh, Magee, Shockney. Total, 22.

Those voting in the negative were :

Senators Boyd, Caster, French, Fulk, Gilman, Grose, Hobson, Holcomb, Kennedy, Kopelke, Lynn, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 21.

So the report of the committee was concurred in.

Senator Magee moved to adjourn.

Which motion did not prevail.

Senator Hobson made the following motion :

MR. PRESIDENT:

I move that the Senate reconsider the vote by which Senate Bill No. 179 was passed this Senate and request the House to return the same to the Senate.

The motion was adopted.

On motion of Senator Hayden the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

THURSDAY MORNING.

FEBRUARY 12, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. Monsignor Bessonies, V. G., of Indianapolis.

After the reading of a portion of the Journal, on motion of Senator McHugh, the further reading of the same was dispensed with.

Senator Hudson called for the reading of that portion of the Journal relating to the reconsideration of the vote on the passage of Senate Bill No. 179, and offered the following motion :

MR. PRESIDENT:

I move to correct so much of the Journal of yesterday's proceedings as relates to the reconsideration of Senate Bill No. 179, for the reason that before the Senate could legally act upon said motion to reconsider, said motion, under Rule 80 of the Senate, would have to lie over for one day.

Senator Burke moved to refer Senator Hudson's motion to the Committee on Revision and Correction of the Journal.

Which motion was lost.

On motion of Senator Magee the whole matter was referred to the Committee on Rights and Privileges.

Senator Ewing moved to reconsider the vote on the adoption of the resolution appointing L. H. Gamble mail carrier of the Senate.

The ayes and noes being demanded by Senators Hays and Boyd.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Burke, Byrd, Chandler, Clemons, Ewing, Foley, French, Grimes, Grose, Howard, Hudson, Jackson, Jones, Kennedy, Kopelke, Loveland, Morgan, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 21.

Those voting in the negative were :

Senators Akin, Carver, Caster, Fulk, Griffith, Hanley, Hayden, Hays, Hobson, Holland, Hubbell, Lynn, McGregor, McHugh, Mount, Shanks, Shockney, Smith, Yaryan. Total, 19.

So the motion prevailed.

Whereupon Senator Ewing withdrew the resolution.

Senator Kerth introduced Senate Bill No. 313, entitled :

A bill for an act to amend section one (1) of an act entitled an act providing for a Metropolitan Police Force in all cities of twenty-nine thousand or more inhabitants, and for the appointment of a Board of Metropolitan Police Commissioners for such cities, and defining their duties and prescribing their powers, providing for the appointment of officers, patrolmen and other members of the Metropolitan Police Force of such cities by such boards, and the manner of paying them for their services, and providing for the abolition of existing boards of police and police forces in such cities, and for the abolition of the office

of City Marshal in such cities, and declaring an emergency, reconsidered March 5, 1883, and again passed, notwithstanding the objection of the Governor.

Read first time and referred to Committee on Cities and Towns.

Senator Kerth introduced Senate Bill No. 314, entitled :

A bill for an act providing for a Board of Metropolitan Police and Fire Department in all cities of this State of fifty thousand or more and less than 100,000 inhabitants, according to the United States census of eighteen hundred and ninety, prescribing how the members of said Board or their successors shall be elected and commissioned, providing for the organization of the Board, defining the duties of the commissioners composing the Board, and of the Board; providing for the appointment of superintendent, officers, patrolmen, and other members of the police force, and for the appointment of a Chief Fire Engineer, officers, firemen and other employes of the fire department of such cities, and the manner of paying them for their services, giving said Board full authority over the fire department of said cities, and authorizing the Board to purchase all supplies, engines, ladders, wagons, horses and all equipments for said fire department, and prescribing how the bills for the same shall be audited, certified and paid; providing for the abolition of existing Boards of police and fire department in such cities, and for the abolition of the office of City Marshal in such cities, and providing for other matters connected with the government of the police and fire department of such cities, repealing all laws in conflict with this act, especially an act providing for a Metropolitan Police in all cities of twenty-nine thousand inhabitants, etc., R. S. 1883, page 89, so far as said act affects or applies to cities containing more than fifty thousand and less than one hundred thousand inhabitants, according to the United States census of eighteen hundred and ninety (1890), and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Shockney offered the following resolution :

MR. PRESIDENT :

I move that, hereafter when a Senator desires to call up any matter out of order, on consent of the Senate, the Hon. President of the Senate shall first require the Senator to state the nature of the matter offered.

Senator Howard moved that the amendments made by the Committee of the Whole on Senate Bill No. 28 be considered engrossed, that the bill be read a third time by sections and put upon its passage.

The motion prevailed.

Senator Akin moved that the further consideration of Senate Bill No. 28 be indefinitely postponed.

On motion of Senator Burke, the Senate adjourned.

THURSDAY AFTERNOON.

FEBRUARY 12, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

The special order set for this hour being the consideration of Senate Bill No. 61.

On motion of Senator Howard, the same was postponed till after Senate Bill No. 28 was disposed of.

The question being on the adoption of Senator Akin's motion that the further consideration of Senate Bill No. 28 be indefinitely postponed.

The ayes and noes being demanded by Senators McHugh and Hanley.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Carver, Caster, Chandler, Ellison, French, Fulk, Gilman, Grose, Hobson, Holcomb, Hudson,

Kennedy, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 28.

Those voting in the negative were :

Senators Boyd, Burke, Clemans, Ewing, Foley, Francis, Griffith, Grimes, Hanley, Hayden, Hays, Holland, Howard, Hubbell, Jackson, Jones, Kerth, Loveland, McHugh, and Thompson of Marion. Total, 20.

So the motion to indefinitely postpone was adopted.

Senator Magee presented the following notice :

MR. PRESIDENT :

•I hereby give notice that I will, on Monday at 2 o'clock, move a reconsideration of the Senate's action on Senate Bill No. 28.

Senator Shockney was granted leave of absence on account of sickness.

Senator Akin was granted leave of absence till next Monday.

The question occurring on the adoption of Senator Hays' motion to refer Senate Bill No. 61 to a special committee to make certain amendments therein.

The ayes and noes were demanded by Senators Ewing and Hays.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Byrd, Carver, Caster, Clemans, French, Gilman, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Kennedy, Kopelke, Loveland, Lynn, Mount, Thompson of Huntington and Wells, Wiggs and Yaryan. Total, 21.

Those voting in the negative were :

Senators Akin, Burke, Chandler, Ellison, Ewing, Foley, Francis, Fulk, Griffith, Hayden, Holcomb, Holland, Howard,

Jackson, Jones, Kerth, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, and Thompson of Pulaski, White and Carroll. Total, 26.

So the motion to refer Senate Bill No. 61 did not prevail.

Senator Ewing offered the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 61 to a special committee of one, with instructions to amend the same by striking out the word "three" after the word "viz," in line 6 (on page 5) of section 3 of the engrossed copy, and inserting therein the word "four," also, by striking out the word "three" after the word "interests," in line 8, same section and page of said bill, and inserting therein the word "one," also, by striking out the word "three" after the word "interest," in line 10, same page and section, and inserting the word "four."

The motion to refer was adopted.

Senator Ewing was appointed as such committee.

Senator Ewing, as special committee, made the following report.

MR. PRESIDENT :

Your special committee, to whom was referred Senate Bill No. 61, with instructions to amend the same, would report that the same has been amended as instructed.

The report of the committee was concurred in.

Senator Ewing moved that the amendments be considered engrossed, the bill read a third time by sections, and put upon its passage.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Jackson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski. Total, 31.

Those voting in the negative were:

Senators Boyd, Byrd, Caster, Clemans, Grose, Hanley, Harlan, Hays, Hobson, Kennedy, Mount, Wiggs, Yaryan. Total, 13.
So the motion prevailed.

Senate Bill No. 61 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Chandler, Ellison, Ewing, Foley, Francis, Fulk, Griffith, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kerth, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski. Total, 28.

Those voting in the negative were:

Senators Boyd, Byrd, Caster, Clemans, French, Gilman, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Kennedy, Koppelke, Mount, Thompson of Huntington, Wiggs, Yaryan. Total, 18.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Thompson, of Marion, offered the following communication:

To the Honorable President and

Members of the Senate of the State of Indiana:

The united soldiers' organizations of the city of Indianapolis and vicinity respectfully and cordially invite you to participate with them in a fitting and proper celebration of Washington's Birthday at Tomlinson Hall, this city, February 22, 1891, at 2 o'clock P. M.

R. M. SMOCK,
GEO. C. WEBSTER,
B. W. SULLIVAN.

INDIANAPOLIS, February 10, 1891.

On motion of Senator Thompson, of Marion, the invitation was accepted.

Senator French offered the following resolution:

MR. PRESIDENT:

WHEREAS, The present term of the Legislature is rapidly drawing to a close; and,

WHEREAS, There is a large amount of business yet to be transacted; therefore, be it

Resolved by the Senate, That hereafter the hour for the meeting of the Senate shall be nine (9) o'clock A. M., instead of ten (10) o'clock.

On motion of Senator Burke the resolution was referred to Committee on Rules.

Senator Foley moved to suspend the regular order of business and take up bills on second reading.

On motion of Senator Thompson, of Marion, the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

FRIDAY MORNING.

FEBRUARY 13, 1891.

The Senate convened at 10 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. D. R. Lucas, of the Central Christian Church, Indianapolis.

After the reading of a portion of the Journal, on motion of Senator Smith, the further reading of the same was dispensed with.

Senator Hudson offered the following motion:

MR. PRESIDENT:

I move that the message of, the reconsideration of Senate Bill No. 179, transmitted to the House last evening, be recalled.

The motion carried.

Senator Foley moved to suspend the regular order of business, and receive reports of committees.

Senator Shockney moved to lay the motion on the table.

Which motion prevailed.

Engrossed Senate Bill No. 147 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Byrd, Caster, Chandler, Foley, Francis, French, Fulk, Gilman, Grimes, Hanley, Hayden, Hays, Hobson, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs, and Yaryan. Total, 37.

Senator Carver voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 158 was read a third time and put upon its passage.

Senator Hays moved that the further consideration of the bill be indefinitely postponed.

The motion prevailed.

Engrossed Senate Bill No. 87 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Burke, Caster, Clemans, Ellison, Foley, Francis, Griffith, Grimes, Hanley, Harlan, Hayden, Hubbell, Hudson, Kennedy, Kerth, Loveland, Lynn, Morgan, Shockney, Thompson of Pulaski. Total, 20.

Those voting in the negative were:

Senators Boyd, Byrd, Carver, Chandler, French, Fulk, Gilman, Grose, Hays, Hobson, Holcomb, Holland, Howard, Jackson, Jones, Kopelke, McGregor, McHugh, Magee, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Wiggs. Total, 27.

So the bill failed to pass.

Engrossed Senate Bill No. 52 was read a third time and put upon its passage.

On motion of Senator Jones, the Senate adjourned.

FRIDAY AFTERNOON.

FEBRUARY 13, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

The special order for this hour being the consideration of Senate Bill No. 6.

On motion of Senator Jones, the same was deferred till after the discussion and disposal of Senate Bill No. 52.

The question being on the passage of Senate Bill No. 52.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Caster, Chandler, Clemans, Ellison, Foley, Francis, Gilman, Griffith, Grimes, Hanley, Hayden, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, and Thompson of Pulaski, White and Carroll. Total, 36.

Those voting in the negative were:

Senators French, Grose, Harlan, Hays, McGregor, Shockney, Wiggs and Yaryan. Total, 8.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Magee offered the following amendment to the rules :

MR. PRESIDENT:

I move that the following additional rule be adopted :

That the discussion of any bill shall not occupy more than one hour, and the time shall be apportioned by the author of the bill or the Senator having it in charge, giving to the opponents of the bill one-half of the time, and that no Senator, except the Senator in charge of the bill, shall occupy more than five minutes.

Ordered to lie over one day.

Senator Magee also offered the following resolution :

Resolved, That the Senate shall be convened on each Wednesday and Friday evenings at 7½ o'clock p. m. during the remainder of the session, commencing next Wednesday evening.

Ordered to lie over one day.

Engrossed Senate Bill No. 6 was read a third time.

Senator Magee made the following motion :

MR. PRESIDENT:

I move that Senate Bill No. 6 be referred to a committee of one to make amendments suggested by the Senator from Clay and the Senator from Cass.

The motion prevailed and Senator Hubbell was appointed as such committee.

Senator Hays offered the following motion :

MR. PRESIDENT:

I move that the committee to whom Senate Bill No. 6 has been referred be instructed to amend the same by striking out of said bill sections one, two, six, eight, fourteen, fifteen, sixteen, seventeen and eighteen, and by striking out of line two in section three of said bill the following words, viz: "To do business on the National plan," and by striking out all of line fifteen in section ten (10) of said bill, and to renumber the sections of said bill to correspond with the amendments.

The motion was adopted.

Senator Hubbell called for a verification of the vote on the adoption of Senator Hays' motion.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Carver, Caster, Ellison, French, Fulk, Grose, Harlan, Hays, Holcomb, Holland, Howard, Hudson, Jones, Kerth, McGregor, Morgan, Moore, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Pulaski and Wiggs. Total, 24.

Those voting in the negative were :

Senators Burke, Byrd, Chandler, Clemans, Ewing, Foley, Francis, Gilman, Griffith, Grimes, Hanley, Hayden, Hubbell, Jackson, Kopelke, Loveland, Lynn, McHugh, Magee, Mount, Smith, Thompson of Huntington. Total, 22.

So Senator Hays' motion was adopted.

Senator Magee introduced Senate Bill No. 315, entitled :

"A bill for an act to amend the fourth section of an act entitled, an act to regulate and license the sale of spirituous, vinous and malt and other intoxicating liquors; to limit the license fee to be charged by cities and towns; prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors; to repeal all former laws and parts of laws coming in conflict with the provisions of this act, prescribing penalties for the violation thereof, and declaring an emergency. Approved March 17, 1875.

Read first time and referred to the Committee on Cities and Towns.

Senators Kennedy and Kopelke were granted leave of absence till next Monday.

Senate Bill No. 192, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senator Hayden offered the following amendment to Senate Bill No. 192:

MR. PRESIDENT:

I move to amend Senate Bill No. 192 by inserting after the word "organized," in line 2 of section 1, the words "in this State;" and by inserting after the word "railroad," in line 3 of said section, the words "or any part thereof," and after the word "when," in line 4 of said section, the words "such railroad or any part thereof is."

The amendment was adopted.

Senator Hayden moved that the Constitutional Rule be suspended, the bill, with amendment, be considered engrossed, read a third time by sections and put upon its passage.

The question being upon the suspension of the rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Griffith, Grimes, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, White and Carroll, Wiggs and Yaryan. Total, 41.

Senator Grose voting in the negative.

So the Constitutional Rule was suspended, the bill considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Holland, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McGregor, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 44.

No Senator voting in the negative.

So the bill passed.

Senator Hayden offered the following motion :

MR. PRESIDENT :

I move to amend the title of Senate Bill No. 192 by adding after the words " motive power," the following: "To issue bonds and secure the same by mortgage."

The motion prevailed and the amendment to the title was adopted.

The title as amended was ordered to stand as the title to the act.

Senator Grimes, chairman of the Committee on Education, made the following report on Senate Bill No. 223:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 223 (Senator McGregor's), do report that they have made an examination of the bill and report the same back to the Senate with the recommendation that the bill do pass.

The report of the committee was concurred in.

Senator McGregor moved that the Constitutional Rule be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Loveland, McGregor, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, Thompson of Pulaski, and Wiggs. Total, 39.

Those voting in the negative were:

Senators French, Grose and Kopelke. Total, 3.

So the Constitutional Rule was suspended, the bill read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 45.

Those voting in the negative were :

Senators Kopelke and Yaryan. Total, 2.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 11 was read a third time.

Senator Burke moved that the bill lie upon the table.

Which motion was lost.

Senator Shockney moved that the bill lie over until to-morrow morning, that the engrossing be corrected by inserting the omitted sections, and that the consideration of the bill be made the special order for to-morrow morning at 10 o'clock.

On motion of Senator Hubbell, the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

SATURDAY MORNING.

FEBRUARY 14, 1891.

The Senate convened at 10 o'clock A. M., with Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. McDowell, of the Baptist Church, Indianapolis.

After the reading of a portion of the Journal, on motion of Senator Harlan, the further reading of the same was dispensed with.

The question being on the passage of Senate Bill No. 11.

Senator Shockney offered the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 11 to a special committee of one, with instructions to strike out the clause containing the emergency clause, and by striking out the emergency clause in the title thereof.

The motion prevailed, and Senator Shockney was appointed as such committee.

Senator Shockney, as the special committee, made the following report :

MR. PRESIDENT :

Your special committee of one begs leave to report that he has amended Senate Bill No. 11, as instructed.

The report was concurred in.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Byrd, Carver, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hudson, Loveland, Lynn, McGregor, Morgan, Moore, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Pulaski, and Wiggs. Total, 28.

Those voting in the negative were :

Senators Burke, Chandler, Griffith, Grimes, Holland, Jackson, Jones, Kerth, McHugh, Sweeney, and Thompson of Huntington. Total, 11.

So the bill passed.

The title, as amended, was ordered to stand as the title to the act.

Senators Magee and Caster were granted leave of absence till next Monday morning at 11 o'clock, and Senator Hubbell till 2 o'clock P. M. next Monday.

Engrossed Senate Bill No. 5 was read a third time.

Senator Byrd offered the following motion :

I move that Senate Bill No. 5 be referred to a special committee of one to amend said bill as follows: After the word "Institution," in section 8, line 8, insert, "*Provided*, That the medical attendant of the Institution shall receive no additional compensation for such examination."

The motion prevailed, and Senator Byrd was appointed as such special committee.

Senator Byrd, of the special committee of one appointed to amend Senate Bill No. 5, offered the following report :

MR. PRESIDENT :

Your special committee, to whom was referred Senate Bill No. 5, reports that he has made the amendment, as directed by the Senate.

The report was concurred in.

Senator Shockney offered the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 5 be referred to a special committee of one, with instructions to amend section 4 by striking out of, line 1 of the printed bill the words, "It shall be the duty of the Governor," and by inserting in lieu thereof the words, "The Governor may issue."

Senator Shockney was appointed as such committee.

Senator Shockney, as special committee of one, made the following report on Senate Bill No. 5 :

MR. PRESIDENT :

Your special committee of one, to whom was referred Senate Bill No. 5, begs leave to report that he has made the amendments, as directed by the Senate.

The report of the committee was concurred in, and the bill considered engrossed.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Carver, Chandler, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose,

Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Hubbell, Hudson, Jackson; Jones, Kerth, Loveland, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wigga. Total, 39.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Griffith, chairman of the Committee on Rules, made the following report on resolution of Senator French:

MR. PRESIDENT:

Your Committee on Rules, to whom was referred Senate resolution, introduced by Senator French, respecting the hour of meeting, submit the following report, and recommend that the same be adopted as a rule of the Senate, to-wit:

The Senate shall convene at nine o'clock in the forenoon and two o'clock in the afternoon, unless the Senate shall, by motion, have adjourned to some other hour appointed by such motion.

The report of the committee was concurred in.

Senator Hubbell presented the following memorial:

To the General Assembly of the State of Indiana:

The undersigned citizens and voters of the State of Indiana respectfully petition your honorable body to repeal sections 251 and 252 of an act entitled "an act concerning public offenses and their punishment," approved April 14, 1881, and being sections 2162 and 2163 of the Revised Statutes of 1881. Said sections referring to garnishment, and the transferring of claims for garnishment outside the State of Indiana; for the reason that said sections prevent the collection of honest debts, and work injustice to citizens of Indiana.

Elkhart, Ind., Feb. 6, 1891.

Referred to the Committee on Judiciary without reading.

Engrossed Senate Bill No. 100 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Hubbell, Hudson, Jones, Kerth, Loveland, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wells, and Wiggs. Total, 37.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Hudson, chairman of the Committee on Labor and Labor Statistics, offered the following report on Senate Bill No. 207:

MR. PRESIDENT:

Your Committee on Labor and Labor Statistics, to whom was referred Senate Bill No. 207, introduced by Senator Foley, beg leave to report the following amendments, to wit:

Strike out all preceding the word "the," in line six, section two, and insert in lieu thereof the following:

Within ten days after the passage of this act, the Governor shall appoint a State Court of Arbitration and Mediation, to consist of three persons; the first one of said persons shall be selected from a *bona fide* labor organization, of which he shall have been a member in good standing for at least one year; he shall not be an employer of labor; the second person shall be an employer of labor; the third person shall be appointed upon the recommendation of the other two: *Provided, however,* That if the two appointed fail to agree on the third person at the expiration of thirty days he shall then be appointed by the Governor.

Your committee further recommend that after the word "controversy," in section five, line seven, that the following be inserted :

And when said court has rendered its decision and award, the Clerk of said Court of Abitration shall file in the Clerk's office of the county wherein the questions of controversy arose a certified copy of such decision, which shall be entered of record in the order book of the Circuit Court, and all decisions made by said court in pursuance to the provisions of this act shall be binding upon all parties to the controversy and enforced in the same manner as judgments of a Court of Record.

Your committee further recommend that section ten be amended by striking out the word "twelve," in line three, and inserting the word "ten" in lieu thereof.

And when so amended that the bill do pass.

The report was concurred in.

On motion of Senator Hudson Senate Bill No. 207, was considered engrossed.

Senator Foley offered the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 207 to a committee of one, with instruction to amend the first section of said bill by striking out the words "Section 1," after the word "Indiana," and insert the same words before the enacting clause.

Senator Foley was appointed as such committee.

Senator Foley, as special committee of one, made the following report on Senate Bill No. 207 :

MR. PRESIDENT :

Your special committee of one, to whom was referred Senate Bill No. 207, has amended the bill, as instructed.

The report of the committee was adopted.

Senator Ewing moved to reconsider the vote by which Senate Bill No. 207 was considered engrossed.

Which motion prevailed.

On motion of Senator Shockney, the bill was ordered engrossed, and made the special order for next Monday afternoon at 2 o'clock.

Engrossed Senate Bill No. 170 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hayden, Hays, Hobson, Holcomb, Hubbell, Hudson, Jackson, Jones, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 39.

Senator Hanley voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 23 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Hubbell, Hudson, Jackson, Jones, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 41.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 66 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 41.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Hubbell, by request, introduced Senate Bill No. 316, entitled :

A bill for an act for the incorporation of savings banks and providing for their management.

Read first time and referred to Committee on Banks and Banking.

Senator Hayden moved to adjourn.

Which motion was lost.

Engrossed Senate Bill No. 68 was read a third time.

On motion of Senator Smith the Senate adjourned.

SATURDAY AFTERNOON.

FEBRUARY 14, 1891.

The Senate convened at 2 o'clock p. m., Lieutenant-Governor Chase in the Chair.

On motion of Senator Burke the regular order of business was suspended and the roll called for the introduction of bills.

Senator Foley introduced Senate Bill No. 317, entitled :

A bill for an act making an appropriation for the payment of the claim of Edwin H. Ketcham, as architect of the additional Hospitals for the Insane.

Read first time and referred to Committee on Claims.

Senator Foley also introduced Senate Bill No. 318, entitled :

A bill for an act entitled an act to prohibit the use of stoves in coaches upon railroads.

Read first time and referred to Committee on Railroads.

Senator Sweeney introduced Senate Bill No. 319, entitled :

A bill for an act to amend Sections 1 and 3 of an act entitled "An act to establish a Board of State Charities, prescribing their duties, appropriating four thousand dollars, and declaring an emergency," approved February 28, 1889.

Read first time and referred to Committee on Corporations.

Senator Burke introduced Senate Bill No. 320, entitled :

A bill for an act to amend Section 3 of an act entitled "An act to authorize railroad companies to consolidate their stock with the stock of railroad companies in this or an adjoining State, and to connect their roads with the roads of said companies, and to authorize railroad companies to construct their roads on the routes which they may have heretofore surveyed and located, and to use and occupy the same when completed, approved February 28, 1858" (being Section 3973 of the Revised Statutes of 1881), and declaring an emergency.

Read first time and referred to Committee on Railroads.

Senator Fulk introduced Senate Bill No. 321, entitled :

A bill for an act providing for the assessment and taxing of personal property of wards, in the hands of guardians, the same to be taxed in the township where the ward resides.

Read first time and referred to Committee on Judiciary.

Senator Gilman introduced Senate Bill No. 322, entitled :

A bill for an act to amend section four of an act entitled an act concerning gravel and macadamized roads.

Read first time and referred to the Committee on County and Township Business.

Senator Griffith introduced Senate Bill No. 323, entitled :

An act to enable the circuit courts to change the time of commencing the terms of their courts.

Read first time and referred to the Committee on Judiciary.

Senator Griffith introduced Senate Bill No. 324, entitled :

A bill for an act entitled an act making an appropriation for the Indiana Institute for the Education of the Blind, and declaring an emergency.

Read first time and referred to the Committee on Benevolent Institutions.

Senator Grimes, by request, introduced Senate Bill No. 325, entitled :

A bill for an act prohibiting agents from securing insurance in companies unauthorized by law to do business in the State of Indiana, and prescribing the liability for violations thereof.

Read first time and referred to the Committee on Insurance.

Senator Grimes (by request) introduced Senate Bill No. 326, entitled :

A bill for an act entitled an act making it unlawful for foreign insurance companies legally admitted to do business in the State of Indiana to place, or cause to be placed, insurance on property in the State of Indiana in offices outside of the

State of Indiana, in violation of the tax laws of the State of Indiana, and prescribing penalties for the violation of the same, and prescribing the duties and compensation of the Auditor of State in relation thereto.

Read first time and referred to Committee on Insurance.

Senator Hays introduced Senate Bill No. 327, entitled :

A bill for an act for the relief of counties, surveyors, laborers and contractors in connection with drainage proceedings and repair of drains, under section 10 of an act concerning drainage, approved April 6, 1885, to legalize and make valid the official acts of surveyors under said section 10, and to authorize them to complete repairs on ditches, to certify the cost of all or any part of said work, to levy assessments of benefits to lands affected thereby, and to enforce said liens, collect said assessments in cases where proceedings were pending under said section of said act prior to February 26, 1889, and declaring an emergency.

Read first time and referred to Committee on Swamp Lands.

Senator Hays introduced Senate Bill No. 328, entitled :

A bill for an act to authorize Circuit Court Clerks of the counties of this State to release ditch assessments.

Read first time and referred to Committee on Swamp Lands and Drainage.

Senator Holland introduced Senate Bill No. 329, entitled :

A bill for an act to legalize the incorporation of the town of Osgood, in Ripley County, Indiana, the election and qualification of its several Boards of Trustees and other officers, and all acts, orders, ordinances, resolutions, by-laws, minutes and proceedings of the several Boards of Trustees and other officers of said town, and all ordinances and orders for the levies, assessments and collections of taxes, and legalizing all steps for the annexation of territory to said town, and legalizing the name of said town.

Read first time.

Senator Holland moved that the constitutional rule be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hays, Holcomb, Holland, Howard, Hudson, Jackson, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Wiggs. Total, 36.

No Senator voting in the negative.

So the Constitutional Rule was suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard Hudson, Jackson, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, and Wiggs. Total, 37.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Howard introduced Senate Bill No. 330, entitled:

A bill for an act to regulate the industrial education of the pupils of the Indiana Institution for the Education of the Deaf and Dumb, the Indiana Institution for the Education of the Blind, and the Indiana School for Feeble-minded Youth, and declaring an emergency.

Read first time and referred to the Committee on Finance.

Senator Hubbell, by request, introduced Senate Bill No. 331, entitled :

A bill for an act to subject private banks and bankers to State control.

Read first time and referred to the Committee on Banks and Banking.

Senator Hudson, by request, introduced Senate Bill No. 332, entitled :

A bill for an act to regulate the granting by cities of franchises, licenses, permits and authority to corporations, companies and associations, and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Senator Loveland, by request, introduced Senate Bill No. 333, entitled :

A bill for an act for the relief of Rhoda Carson, otherwise known as Rhoda Steele, and legitimatizing her children, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Senator McHugh introduced Senate Bill No. 334, entitled :

A bill for an act to provide for the amount of bond which shall be given executors or trustees in certain cases.

Read first time and referred to the Committee on Judiciary.

Senator Ewing introduced Senate Bill No. 335, entitled :

A bill for an act providing for the protection of physicians, surgeons, dentists, editors, authors, publishers, artists, architects, designers and engravers, against speculative law suits.

Read first time and referred to Committee on Judiciary.

Senator Ewing also introduced Senate Bill No. 336, entitled :

A bill for an act concerning expert testimony.

Read first time and referred to Committee on Judiciary.

Engrossed Senate Bill No. 68 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Carver, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Kerth, Loveland, Lynn, McGregor, McHugh, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 34.

Those voting in the negative were :

Senators Byrd, Chandler and Holland. Total, 3.

So the bill passed.

The title to the bill ordered to stand as the title to the act.

Engrossed Senate Bill No. 72 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemens, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hobson, Holland, Hudson, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 36.

Those voting in the negative were :

Senators Harlan, Hays and Howard. Total, 3.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Shanks, chairman of the Committee on Roads, made the following report on Senate Bill No. 299:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 299, introduced by Senator Griffith, respectfully report the same back without making any recommendation thereon, except that the same be printed.

The bill was ordered printed.

Senator Shanks, from the same committee, made the following report on Engrossed House Bill No. 254:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Engrossed House Bill No. 254, introduced by Representative Sleeper, report the same back with the following amendments, to-wit: Where the words "four feet" occur, amend so as to read "not to exceed five feet," and when so amended that the bill do pass.

Senator Shanks made the following report on Senate Bill No. 248:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 248, introduced by Senator Jackson, report the same back with the following amendments, to-wit: Amend section one by adding the words "one and one-half" after the word "of," in line ten; also, by striking out the word "twenty" in line eleven, and insert in lieu thereof, the word "fifteen;" also, by adding the following words in line eleven after the word "pounds;" "and a two-inch tire of more than twenty hundred pounds;" and when so amended that the bill do pass.

Senator Shanks also made the following report on Senate Bill No. 188:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 188, introduced by Senator Boyd, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Senator Wiggs, chairman of Committee on Federal Relations, made the following report on Senate Bill No. 43 :

MR. PRESIDENT :

Your Committee on Federal Relations, to whom was referred Senate Bill No. 43, introduced by Senator Caster, have had the same under consideration, and report the same back, with the recommendation that the bill be referred to the Committee on Railroads.

Senator Wiggs, chairman of Committee on Federal Relations, also made the following report on Engrossed House Bill No. 2 :

MR. PRESIDENT :

Your Committee on Federal Relations, to whom was referred Engrossed House Bill No. 2, introduced by Representative Stone of Randolph, beg leave to report the same back, with the recommendation that the bill be indefinitely postponed.

Senator Wiggs, chairman of Committee on Federal Relations, also made the following report on Engrossed House Bill No. 172:

MR. PRESIDENT :

Your Committee on Federal Relations, to whom was referred Engrossed House Bill No. 172, introduced by Representative Leyden, beg leave to report the same back, with the recommendation that the bill do pass.

Senator Howard, Chairman of Committee on Swamp Lands and Drains, made the following report on Senate Bill No. 242 :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to whom was referred Senate Bill No. 242, introduced by Senator Griffith, beg leave to report the same back, with the recommendation that the bill do pass.

Senator Howard, chairman of Committee on Swamp Lands and Drains, also made the following report on Engrossed House Bill No. 29:

MR. PRESIDENT:

Your Committee on Swamp Lands and Drains, to whom was referred Engrossed House Bill No. 29, having considered the same, recommend that the bill do pass.

T. E. HOWARD,
Chairman.

Senator Akin, chairman of the Committee on Agriculture, offered the following report on Senate Bill No. 255:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate Bill No. 255, introduced by Senator McHugh, beg leave to report the same back with the recommendation that the bill be amended by striking out the figures "7,500.00," in line 1, page 4, of said bill, and there be inserted in lieu thereof the following words: "Five thousand dollars," and when so amended the bill do pass.

Senator Akin, chairman of the same committee, also offered the following report on Engrossed House Bill No. 152:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Engrossed House Bill No. 152, introduced by Representative Morris of Henry County, beg leave to report the same back recommending that the title be amended so as to read as follows: "A bill for an act for the protection of the sorghum industry within the borders of the State of Indiana, providing for the manner of branding and selling of molasses and syrups containing glucose or any other adulterations, and fixing penalties for a violation thereof," and that said bill be further amended by inserting the words "section 2" after the word "came" in line 11, page 1, of said act, and that said bill be further amended by striking out the figure "2" after the word "section," in line 8, on page 2, and inserting in lieu thereof the figure "3," and when so amended the bill do pass.

Senator Akin, chairman of the same committee, also offered the following report on Senate Bill No. 17:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate Bill No. 17, introduced by Senator Clemans, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Senator Akin, chairman of the same committee, also offered the following report on Senate Bill No. 198:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate Bill No. 198, introduced by Senator Magee, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Senator Akin, chairman of the same committee, also offered the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred a memorial from the organized farmers and workingmen of Indiana, introduced by Senator Shanks, beg leave to report that:

WHEREAS, All of the matters contained and recommended in the memorial presented by Senator Shanks, are now embodied in the bills which are pending in either one or the other of the two branches of this Legislature, we deem further consideration thereof unnecessary and report accordingly.

Senator Akin, chairman of the same committee, also offered the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate Resolution No. 5, introduced by Senator Hayden, beg leave to report the same back recommending that it be referred to the Committee on World's Fair.

Senator Akin, chairman of the same committee, also offered the following report :

MR. PRESIDENT :

Your Committee on Agriculture, to whom was referred resolutions adopted by the Vigo Farmers' Institute, introduced by Senator Grimes, beg leave to report that there being a bill pending for the full protection of insectivorous birds, which we believe is just and will pass, we, therefore, deem it unnecessary to take any steps upon that part of the resolution which provides for the passage of a law for the protection of birds.

As regards that part which relates to an "Appropriation for Farmers' Institutes," a bill is now pending in the Senate which provides for such an appropriation.

We respectfully ask that the part of the resolution which relates to "Appropriation for World's Fair," be referred to the Committee on World's Fair.

Senator Smith, chairman of Committee on Prisons, also made the following report on Senate Bill No. 291 :

MR. PRESIDENT :

Your Committee on Prisons, to whom was referred Senate Bill No. 291, introduced by Senator Smith, beg leave to report the same back with the recommendation that the bill do pass.

Senator Smith, chairman of Committee on Prisons, also made the following report on Senate Bill No. 296 :

MR. PRESIDENT :

Your Committee on Prisons, to whom was referred Senate Bill No. 296, introduced by Senator Akin, have had the same under consideration and report the same back with the recommendation that the bill do pass.

Senator Smith, chairman of Committee on Prisons, made the following report on Senate Bill No. 268 :

MR. PRESIDENT :

Your Committee on Prisons, to whom was referred Senate Bill No. 268, introduced by Senator Harlan, beg leave to report the same back with the recommendation that the bill do pass.

Senator Holland, chairman of the Committee on Claims, made the following report on Senate Bill No. 195:

MR. PRESIDENT:

The undersigned members of the Committee on Claims, to which committee was referred Senate Bill No. 195, introduced by Senator Hudson, beg leave to report that they have considered the same and recommend that the same do pass, after amending by striking out 14,133 and making the same read 5,000; your committee further recommend that the bill be referred to the Committee on Finance.

HENRY T. HUDSON,

THOMAS E. BOYD,

DAN FOLEY,

I. S. FRENCH.

Senator Holland also made the following report on Senate Bill No. 204:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Senate Bill No. 204, introduced by Senator Foley, having considered the same, beg leave to recommend that the same do pass, and refer the same to the Committee on Finance.

Senator Kerth, chairman of the Committee on Cities and Towns, offered the following majority report on Senate Bill No. 314:

MR. PRESIDENT:

A majority of your Committee on Cities and Towns, to whom was referred Senate Bill No. 314, introduced by Senator Kerth, beg leave to report the same back, recommending that the bill do pass.

KERTH,
Chairman.

Senator Kerth also offered the following minority report :

MR. PRESIDENT :

A minority of your Committee on Cities and Towns, to whom was referred Senate Bill No. 314, introduced by Senator Kerth, beg leave to report the same back, recommending that the same be printed.

KERTH,
Chairman.

Senator Kerth, chairman of the same committee, also offered the following majority report on Senate Bill No. 313 :

MR. PRESIDENT :

A majority of your Committee on Cities and Towns, to whom was referred Senate Bill No. 313, introduced by Senator Kerth, beg leave to report the same back, recommending that the bill do pass.

KERTH,
Chairman.

Senator Kerth, chairman of the same committee, also offered the following minority report :

MR. PRESIDENT :

A minority of your Committee on Cities and Towns, to whom was referred Senate Bill No. 313, introduced by Senator Kerth, beg leave to report the same back, recommending that the bill be printed.

KERTH,
Chairman.

Senator Kerth, chairman of the same committee, also offered the following majority report on Senate Bill No. 212 :

MR. PRESIDENT :

A majority of your Committee on Cities and Towns, to whom was referred Senate Bill No. 212, introduced by Senator Jones, beg leave to report the same back with the recommendation that the bill do pass.

Senator Kerth, chairman of the same committee, also offered the following minority report :

MR. PRESIDENT :

We, the undersigned, a minority of your Committee on Cities and Towns, to whom was referred Senate Bill No. 212, having had the same under advisement, beg leave to report the same back with the recommendation that the bill be printed.

KERTH,
Chairman.

Senator Kerth, chairman of the same committee, also offered the following report on Senate Bill No. 244 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 244, introduced by Senator Harlan, beg leave to report the same back with the recommendation that the bill do pass.

KERTH,
Chairman.

Senator Kerth, chairman of the same committee, also offered the following report on Senate Bill No. 295 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 295, introduced by Senator Harlan, have had the same under consideration, and beg leave to report the same back with the recommendation that the bill be printed.

KERTH,
Chairman.

Senator Kerth, chairman of the same committee, also offered the following report on Senate Bill No. 216 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 216, introduced by Senator Smith, beg leave to report the same back with the recommendation that the bill do pass.

KERTH,
Chairman.

Senator Kerth, chairman of the same committee, also offered the following report on Senate Bill No. 234 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 234, introduced by Senator Ellison, beg leave to report the same back with the recommendation that the bill do pass.

KERTH,
Chairman.

Senator Sweeney, chairman of the Committee on Corporations, made the following report on Senate Bill No. 256 :

MR. PRESIDENT :

Your Committee on Corporations, to whom was referred Senate Bill No. 256, introduced by Senator Kopelke, have had same under consideration, and report the same back with the recommendation that it do pass.

Senator Sweeney also made the following report on Senate Bill No. 261 :

MR. PRESIDENT :

Your Committee on Corporations, to whom was referred Senate Bill No. 261, introduced by Senator Akin, have had the same under consideration, and beg leave to report the said bill back with the recommendation that it be printed.

Senator Sweeney also made the following majority report on Senate Bill No. 250 :

MR. PRESIDENT :

Your Committee on Corporations, to whom was referred Senate Bill No. 250, introduced by Senator Kopelke, have had the same under consideration, and we the majority members of said committee have the honor to report the said bill back and recommend that it do pass.

SWEENEY,
JACKSON,
ELLISON,
THOMPSON, Pulaski,
HOLCOMB.

Also, the following minority report:

MR. PRESIDENT:

We, the minority members of the above named committee, beg leave to report that we regard the legislation, as contemplated by the above reported bill, unnecessary and therefore recommend that the bill be indefinitely postponed.

THEODORE SHOCKNEY,
ROBERT J. LOVELAND.

Senator Jackson, chairman of the Committee on County and Township Business, made the following report on Engrossed House Bill No. 55:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Engrossed House Bill No. 55, introduced by Representative Zoercher, having had the same under consideration report the same back to the Senate with the recommendation that Section 1 be amended by inserting on page 3, line 12, after the word "interest" the words "not to exceed six per cent.," and when so amended that the bill do pass.

Senator Jackson, chairman of Committee on County and Township Business, also made the following report on Senate Bill No. 247:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 247, introduced by Senator Hays, report the same back with the recommendation that the bill be referred to the Committee on Judiciary.

Senator Jackson, chairman of Committee on County and Township Business, also made the following report on Senate Bill No. 298:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 298, introduced by Senator Thompson of Pulaski, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Senator Jackson, chairman of Committee on County and Township Business, also made the following report on Senate Bill No. 280 :

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred Senate Bill No. 280, introduced by Senator Sweeney, beg leave to report the same back, with the recommendation that it be referred to the Committee on Roads.

Senator Jackson, chairman of Committee on County and Township Business, also made the following report on Senate Bill No. 290 :

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred Senate Bill No. 290, introduced by Senator Shockney, have had the same under consideration, and beg leave to report same back with the recommendation that it be indefinitely postponed.

Senator Jackson, chairman of Committee on County and Township Business, also made the following report on Senate Bill No. 294 :

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred Senate Bill No. 294, introduced by Senator Wiggs, have had the same under consideration, and beg leave to report said bill back with the recommendation that it be indefinitely postponed.

Senator Jackson, chairman of Committee on County and Township Business, also made the following report on Senate Bill No. 305 :

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred Senate Bill No. 305, introduced by Senator Kennedy, have had the same under consideration, and beg leave to report the said bill back with the recommendation that it be indefinitely postponed.

Senator Fulk, chairman of the Committee on Organization of Courts, made the following report on Engrossed House Bill No. 344:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred House Bill No. 344, introduced by Representative Heathman, have had the same under consideration, and have the honor to report said bill back with the recommendation that it do pass.

Senator Fulk, chairman of the same committee, made the following report on Senate Bill No. 211:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 211, introduced by Senator Holcomb, have had the same under consideration and have the honor to report that we have added two substitutes to the said bill, and recommend that, with these substitutes attached, the bill do pass.

An act in relation to the holding of certain terms of court in the Eleventh Judicial Circuit in the State of Indiana; defining the duties of the Judge of the Forty-ninth Judicial Circuit of the State of Indiana in relation thereto, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That from and after the taking effect of this act, there being a necessity for the same, it shall be the duty of the Judge of the Forty-ninth Judicial Circuit in the State of Indiana, to hold the July terms of the Pike Circuit Court in the State of Indiana.

SEC. 2. In case the Circuit Court is in session in any county in said Forty-ninth Judicial Circuit, at the time fixed by law for the convening of the July terms of the Pike Circuit Court, the Judge of said Forty-ninth Judicial Circuit shall, prior to the day of such convening of court in Pike County, adjourn the court in said Forty-ninth Judicial Circuit until court in course, or until a day beyond the limit of time allowed by law for the holding of said July terms of the Pike Circuit Court.

SEC. 3. It shall be the duty of the Judge of said Forty-ninth Judicial Circuit to allow, sign and file with the Clerk all bills of exceptions showing the proceedings had and done before him at said terms of Court in Pike County, the same as if said county was a part of the Forty-ninth Judicial Circuit, and he shall have the power, during term time of said terms of Court, as if he was the regular Judge thereof.

SEC. 4. An emergency is hereby declared to exist for the immediate taking effect of this act, it shall therefore take effect and be in force from and after its passage.

An act in relation to the holding of certain terms of Court in the Eleventh Judicial Circuit in the State of Indiana; defining the duties of the Judge of the Third Judicial Circuit of the State of Indiana, in relation thereto, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That from and after the taking effect of this act, there being a necessity for the same, it shall be the duty of the Judge of the Third Judicial Circuit in the State of Indiana, to hold the January terms of the Dubois Circuit Court in the State of Indiana.

SEC. 2. In case the Circuit Court is in session in any county in said Third Judicial Circuit at the time fixed by law for the convening of the January term of the Dubois Circuit Court, the Judge of said Third Judicial Circuit shall, prior to the day of such convening of Court in Dubois County, adjourn the Court in said Third Judicial Circuit until Court in course or until a day beyond the limit of time allowed by law for the holding of said January term of the Dubois Circuit Court.

SEC. 3. It shall be the duty of the Judge of said Third Judicial Circuit to allow, sign and file with the proper Clerk all bills of exceptions, showing the proceedings had and done before him at said terms of court in Dubois County, the same as if said county was a part of the Third Judicial Circuit; and he shall have the power during term time of said terms of court as if he was the regular Judge thereof.

SEC. 4. An emergency is hereby declared to exist for the immediate taking effect of this act; it shall, therefore take effect and be in force from and after its passage.

Senator Fulk, chairman of same committee, made the following majority and minority report on Senate Bill No. 188:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 188, introduced by Senator Fulk, have had the same under consideration, and beg leave to report that all of the committee, except the chairman, recommend that it be indefinitely postponed.

MCGREGOR.

JONES.

JACKSON.

HOLLAND.

BOYD.

SHOCKNEY.

MR. PRESIDENT:

I beg leave to report the above named bill back, with the recommendation that the same do pass.

FULK.

Senator Fulk, chairman of the same committee, made the following report on Senate Bill No. 277:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 277, introduced by Senator Moore, have had same under consideration, and beg leave to report said bill back with the recommendation that it be indefinitely postponed.

FULK,

Chairman.

Senator Grimes, chairman of the Committee on Education, made the following report on Senate Bill No. 285:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 285 (Senator Grimes), report that they have had the bill under consideration, and report the same back to the Senate with the recommendation that the bill do pass.

ANDREW GRIMES,

Chairman.

Senator Grimes, chairman of the same committee, made the following report on Engrossed House Bill No. 166 :

MR. PRESIDENT :

Your Committee on Education, to whom was referred House Bill No. 166, report that they have had the same under consideration, and recommend that the bill do pass.

ANDREW GRIMES,
Chairman.

Senator Thompson, chairman of the Committee on the City of Indianapolis, made the following report on Senate Bill No. 238 :

MR. PRESIDENT :

Your Committee on the City of Indianapolis, to whom was referred Senate Bill No. 238, had the same under consideration, and beg leave to report the same back with the recommendation that it do pass.

THOMPSON, (of Marion).

Senator Thompson, of Pulaski, chairman of Committee on Public Health, made the following report on Senate Bill No. 281 :

MR. PRESIDENT :

Your Committee on Public Health, Vital and Other Statistics, to whom was referred Senate Bill No. 281, introduced by Senator McGregor, have had the said bill under consideration and beg leave to report the same back with the recommendation that it be indefinitely postponed.

THOMPSON (Pulaski),
Chairman.

Senator Thompson (Pulaski), chairman of Committee on Public Health, Vital and other Statistics, also made the following report on Engrossed House Bill No. 268 :

MR. PRESIDENT :

The undersigned members of the minority Committee on Public Health, Vital and Other Statistics, to whom was referred Engrossed House Bill No. 268, recommend that the same be indefinitely postponed.

J. D. MORGAN,
WM. W. GILMAN,
HENRY J. WIGGS.

MR. PRESIDENT :

Your Committee on Public Health, Vital and other Statistics, to whom was referred Engrossed House Bill No. 268, introduced by Representative Thienes, have had the said bill under consideration, and the undersigned majority of the committee beg leave to report the same back with the recommendation that the bill do pass.

THOMPSON (Pulaski),
Chairman,

HUDSON,
YARYAN,
THOMPSON (Marion).

Senator Howard, from the Committee on Finance, made the following report on Senate Bill No. 330 :

MR. PRESIDENT :

Your Committee on Finance, to whom was referred Senate Bill No. 330, introduced by Senator Howard, having considered the same, recommend that said bill do pass.

FRED. HAYDEN,
GEO. A. BYRD,
B. F. CLEMANS,
T. E. HOWARD.

Engrossed House Bill No. 184, entitled :

A bill for an act to amend section one (1) and section fifteen (15) of an act providing for voluntary assignments of personal and real property in trust for the benefit of creditors, and regulating the mode of administering the same, approved March 5, 1859.

Read first time and referred to Committee on Corporations.

Engrossed House Bill No. 5, entitled :

A bill for an act providing for the punishment of persons in the possession of stolen personal property in this State, having stolen the same in another State or Territory of the United States, or in any foreign country, and for the punishment of persons who shall buy, receive, conceal or aid in the concealment of personal property or any thing of value which has

been stolen, taken by robbers, embezzled or obtained by false pretense in this State, knowing it to have been stolen, taken by robbers, embezzled or obtained by false pretense in some other State or Territory of the United States or foreign country.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 8, entitled :

A bill for an act to regulate the rates of tolls and exchanges to be charged or taken by all steam power, roller process, grist and grain mills.

Read first time and referred to Committee on Federal Relations.

Engrossed House Bill No. 22, entitled :

A bill for an act for the better securing of wages to workmen and laborers in the State of Indiana, and for the punishment of certain employes or officers of the corporations with the State of Indiana, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 69, entitled :

A bill for an act to prevent dealing in margins or options in grain, live stock, produce, stocks and bonds, and providing penalties for the violation thereof.

Read first time and referred to Committee on Federal Relations.

Engrossed House Bill No. 312, entitled :

A bill for an act to amend section 26 of an act concerning public offenses and their punishment, approved April 14, 1881, the same being section 1927 of the Revised Statutes of 1881.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 409, entitled :

A bill for an act to prohibit the shooting of wild ducks, rail or coot, except at certain times ; prevent transporting the same beyond the limits of the State ; providing penalties for the violation thereof ; repealing all laws in conflict therewith.

Read first time and referred to Committee on County and Township Business.

Engrossed House Bill No. 552, entitled :

A bill for an act to legalize the incorporation of the town of Scottsburg, Scott County, Indiana, and to legalize the election and qualification of each and every officer and each and every official act of the several Boards of Trustees of said town and of each and every officer thereof, and to legalize and make valid all acts, by-laws, ordinances, resolutions, rules and regulations adopted by said Boards of Trustees, and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Engrossed House Concurrent Resolution No. 18 :

Resolved, That the General Assembly of the State of Indiana, the Senate concurring, petition to Congress that they, as members of the great commonwealth of the United States of America, if it is possible, make a law that will make greenback currency taxable the same as black back currency, and we will be proud of them.

Referred to the Committee on Federal Relations.

Senator Holland, chairman of Committee on Claims, presented the following report on Senate Bill No. 243 :

MR. PRESIDENT :

Your Committee on Claims, to whom was referred Senate Bill No. 248, introduced by Senator Hanley, having considered the same, beg leave to report, recommending that the same do pass.

The report was concurred in.

Senator Hanley moved that the constitutional rule be suspended, Senate Bill No. 243 be read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Carver, Clemans, Ewing, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski and Wiggs. Total, 34.

Those voting in the negative were:

Senators Chandler and Foley. Total, 2.

So the constitutional rule was suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 36.

Senator Chandler voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Burke moved that when the Senate adjourn it be till next Monday morning at 11 o'clock.

The motion prevailed.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, IND., Feb. 14, 1891. }

Hon. Ira J. Chase, President of the Senate :

DEAR SIR—A telegram has just announced the death of General William T. Sherman. The services of this distinguished soldier who has done so much to serve our country should be honored by all loyal men.

I trust it may meet with the approbation of both Houses to set apart an hour on Tuesday next to do honor to the departed hero.

Yours truly,

ALVIN P. HOVEY,
Governor.

Senator Grose offered Senate Concurrent Resolution No. 9, as follows :

WHEREAS, The news of the death of General William T. Sherman, following so closely upon that of Admiral Porter, has been received by this Senate with profound sorrow ; therefore,

Be it resolved by the Senate of the State of Indiana, the House of Representatives concurring, That a committee of three members of the Senate be appointed by the President of the Senate, to act with a like committee, to be appointed by the Speaker of the House, to prepare and report to the two Houses, at their next meetings, suitable resolutions of respect to the memory of our dead heroes.

Resolved further, That as an additional evidence of respect to their memories, the Senate do now adjourn.

Senator Burke offered the following amendment :

MR. PRESIDENT :

I move to amend the resolution offered by Senator Grose, by striking out the words "at their next meeting" and inserting therein the words "next Tuesday at 8 o'clock P. M."

Which amendment was adopted.

The resolution as amended was unanimously adopted.

President Chase appointed Senators Grose, Boyd and Howard as the committee.

At 3 o'clock the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

MONDAY MORNING.

FEBRUARY 16, 1891.

The Senate convened at 11 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. J. F. Williams, of the North Baptist Church, Indianapolis.

After the reading of a portion of the Journal, on motion of Senator Chandler, the further reading of the same was dispensed with.

Senator Caster was granted leave of absence for to-day.

Senator Grimes offered the following memorial:

Resolved, That we, the members of Morton Post No. 1, Department of Indiana, Grand Army of the Republic, do earnestly request that you lend your most sincere and unequivocal aid in support of the measure known as House Bill No. 6, and Senate Bill No. 15.

Resolved, That the rapid growing numbers of inmates in the Institution known as the Soldiers' and Sailors' Orphans' Home, at Knightstown, demand greater facilities, and that our first great care should be the welfare of the unfortunate and destitute offspring of the loyal sons of Indiana.

Resolved, That we heartily endorse the provisions of said bills, or so much thereof as may be necessary, and that we

favor any and all just and reasonable measures which may tend to the relief and comfort of these, the legitimate wards of the Grand Army of the Republic, and the orphans of those who presented themselves as living bulwarks in the defense of their altars and their fires.

Memorial adopted at a regular meeting of Morton Post No. 1, Department of Indiana, G. A. R., Thursday evening, Feb. 5, 1891.

J. A. ANDERSON,
Post Commander.

Attest:

GEO. W. MILLER,
Adjutant.

Read and referred to Committee on Benevolent Institutions.

Senate Bill No. 285, together with the report of the committee thereon, was read a second time.

Senator Ewing moved that the report of the committee be concurred in and the bill ordered engrossed.

The motion prevailed.

Senator Ewing moved that the Constitutional Rule be suspended, Senate Bill No. 285 be considered engrossed, read a third time by sections and put upon its passage.

The question being, shall the Constitutional Rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were.

Senators Akin, Boyd, Byrd, Chandler, Ellison, Ewing, Foley, Francis, Fulk, Griffith, Grimes, Grose, Hanley, Hayden, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 87.

Those voting in the negative were:

Senators Clemans and Gilman. Total, 2.

So the Constitutional Rule was suspended, the bill considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Koppelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 45.

Senator Holland voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Shockney called up his resolution, offered a few days ago, relating to the suspension of the regular order of business, and moved its adoption:

The motion prevailed.

Senator Foley offered the following resolution and moved its adoption.

MR. PRESIDENT:

WHEREAS, The Senate of Indiana has, by resolution, authorized the Doorkeeper to purchase supplies for the Senate; therefore,

Resolved, That the following bills, viz.:

Wm. B. Burford, 1 lock, 2 keys, 2 brushes, 2 combs.....	\$2 15
Sentinel Printing Company, 1,000 cards, passes	2 50
T. V. Cook, black-board.....	4 00
M. E. Murry, 25 letters, type-writer.....	2 50
Western Union Telegraph Co.....	70

Be allowed, and the Assistant Secretary of the Senate is hereby authorized to draw his order to the parties above named for the amount of their bills attached.

Ordered to lie upon the table.

Senator Magee presented the following memorial:

LOGANSPOBT, IND., February 12, 1891.

To the Senate of the State of Indiana:

We, the undersigned, members of the Farmers' Mutual Benefit Association of Washington Township, Cass County, Indiana, do demand your most careful consideration of all bills pertaining to the interests of the farmers and laboring people of the State of Indiana.

Signed by

JOHN T. MARTIN

And others.

Read and referred to Committee on Agriculture.

Senate Bill No. 90, together with the report of the committee thereon, was read a second time and the report concurred in.

Senator Loveland offered the following amendment:

MR. PRESIDENT:

I move that section 2, line 13, of Senate Bill No. 70 be amended by striking out the word "docketed" and inserting in lieu thereof the word "pending."

The amendment was adopted.

Senator Morgan moved that the constitutional rule be suspended, that the bill be considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Chandler, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 40.

So the constitutional rule was suspended, and the bill was considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 44.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Byrd moved to suspend the regular order of business, and to take up bills on second reading.

Senator Burke moved to amend that the regular order be adhered to and the roll call be continued on bills on third reading.

Senator Shockney moved to amend that the regular order be suspended, that the roll be called on bills on second reading, and that on said roll call Senators be permitted to call up bills on third reading.

Which motion was lost.

The question recurring on Senator Burke's motion to amend, the same was adopted.

The original motion as amended was then adopted.

Senator Shockney called up Senate Bill No. 150, and moved that the bill be considered engrossed, read a third time by sections, and put upon its passage.

Senator Burke moved that the further consideration of Senate Bill No. 150 be indefinitely postponed.

On motion of Senator Boyd, the Senate adjourned.

MONDAY AFTERNOON.

FEBRUARY 16, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

The special order for this hour being the reconsideration of the vote taken last Thursday on Senate Bill No. 28.

Senator Magee moved that the vote on said bill be reconsidered.

The ayes and noes being demanded by Senators Hobson and Grose.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Carver, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Holcomb, Holland, Howard, Hubbell, Hndson, Jackson, Jones, Kerth, Loveland, McHugh, Magee, Morgan, Thompson of Marion, Thompson of Huntington, and Yaryan. Total, 80.

Those voting in the negative were:

Senators Akin, Chandler, French, Grose, Hobson, Kopelke, Lynn, Moore, Mount, Shanks, Sweeney, Thompson of Pulaski, and Wiggs. Total, 18.

So Senator Magee's motion prevailed.

Senator Morgan offered the following motion:

MR. PRESIDENT:

I move that Senate Bill No. 28 be referred to a special committee of two to amend the same as follows: Add to said bill after section 25, the following section to be known as section 26, and let the emergency section be numbered as section 27, to-wit:

Section 26. The period of existence of said Appellate Court shall be six years from the first day of March, 1891, and no longer, at the end of which time the Supreme Court shall assume jurisdiction of all causes pending in and other business of said Appellate Court as if this act had never been passed.

The motion was adopted.

Senators Morgan and Howard were appointed as such committee.

Senators Morgan and Howard, as the special committee, made the following report:

MR. PRESIDENT:

Your special committee, to whom was referred Senate Bill No. 28, to add a section to said bill to be known as section 26, and to change the number of the emergency clause to section 27, respectfully report that said bill has been amended as directed.

MORGAN,
HOWARD.

The report of the committee was concurred in.

Senator Hays offered the following motion:

MR. PRESIDENT:

I move to refer amended Senate Bill No. 28 to a special committee of one with instructions to add to section 25 the words: "The Court created by this act shall be governed in all things by the law as declared by the Supreme Court of this State, and that they shall not directly or by implication reverse or modify any decision of the Supreme Court of the State."

The motion to amend prevailed, and Senator Hays was appointed as such committee.

Senator Hays, as the special committee of one, offered the following report:

MR. PRESIDENT:

Your special committee, to whom was referred Senate Bill No. 28, with instructions to amend the same, would report that he has made the amendment as directed by the Senate.

The report was concurred in.

Senator Fulk offered the following motion:

MR. PRESIDENT:

I move to refer Senate Bill No. 28 to a special committee of one with instructions to amend Section 16, line 2, of Senate Bill No. 28, by striking out the words "four thousand" and insert in lieu thereof the words "thirty-five hundred."

The motion was adopted.

Senator Fulk was appointed as such committee.

Senator Fulk, as special committee of one, made the following report on Senate Bill No. 28:

MR. PRESIDENT:

Your special committee, to whom was referred Senate Bill No. 28 for amendment, beg leave to report that they have amended the said bill as instructed.

Report of committee adopted.

Senator Burke moved that the amendments to Senate Bill No. 28 be considered engrossed and the bill be read a third time by sections, and put upon its passage, and on this motion he demanded the previous question.

The question being, Shall the Senate second the demand for the previous question?

The demand for the previous question was seconded by the Senate.

The question then being, Shall the main question be now put?

The same was agreed to.

The question recurring on Senator Burke's motion, the same was adopted.

Engrossed Senate Bill No. 28 was then read a third time by sections and put upon its passage.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Clemans, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Hanley, Hayden, Hays, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Kopelke, Loveland, McHugh, Magee, Morgan, Moore, Shockney. Thompson of Marion, Yaryan. Total, 33.

Those voting in the negative were:

Senators Akin, Chandler, French, Grose, Hobson, Lynn, Mount, Shanks, Smith, Sweeney, Thompson of Pulaski, and Wiggs. Total, 12.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed Senate Bill No. 207, which had been made a special order for this afternoon, was read a third time.

Senator Hudson presented the following memorial:

INDIANAPOLIS, February 18, 1891.

To the Honorable, the Members of the Indiana State Senate:

WHEREAS, Senate Bill No. 207, creating a Board of Arbitration and Mediation came before the Building Trades Council at a regular meeting held at room 18, Cyclorama Building, such council being composed of the following trades, to-wit:

Carpenters' Union No. 299.

Carpenters' Union No. 446.

Carpenters' Union No. 706.

Carpenters' Union No. 60.

Stair Builders' Union No. 57.

Painters' Union No. 47.

Paper Hangers' Union No. 107.

Tinners' Union No. 41.

Plasterers' Union No. 46.

Hod Carriers' Union No. 1.

Architectural Iron Workers' Union No. 5,043.

Plumbers', Steam and Gas Fitters' Union No. 1.

Mantel and Grate Setters' Union No. 5,210.

Stone Cutters' Union, Indianapolis Division.

Stone Masons' Union, Indianapolis Division.

And,

WHEREAS, We believe said Senate Bill No. 207 to be a fair and just measure; therefore, be it

Resolved, That we ask the careful and earnest consideration of said bill by the members of the Legislature now in session, and recommend the passage of the same.

A. F. HOOTON,
JAMES DEERY,
JAMES COMPTON,
Committee.

Senator Magee demanded the previous question on the passage of Senate Bill No. 207.

The question being, Shall the Senate second the demand for the previous question?

The demand was not seconded by the Senate.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Ellison, Foley, Francis, French, Fulk, Gilman, Grimes, Hayden, Holcomb, Howard, Hubbell, Hudson, Kennedy, Kopelke, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 26.

Those voting in the negative were:

Senators Boyd, Burke, Clemans, Ewing, Grose, Hanley, Hays, Holland, Jackson, Jones, Loveland, Lynn, Shockney and Yaryan. Total, 14.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Boyd made the following motion:

MR. PRESIDENT:

I move to reconsider the vote by which Senator Hays' motion to instruct the special committee to make certain amendments to Senate Bill No. 6 was carried, and I hereby give notice that I will call said motion up for action thereon at 11 o'clock A. M., Wednesday, February 18, 1891.

The motion was made a special order for 11 o'clock A. M., Wednesday.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 44, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 270, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Principal Clerk of the House.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 30, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 269, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Engrossed House Bill No. 44, entitled:

A bill for an act concerning incorporation and government of cities having more than one hundred thousand population according to the census for the year eighteen hundred and ninety, and matters connected therewith, and declaring an emergency.

Read first time and referred to the Committee on City of Indianapolis.

Engrossed House Bill No. 269, entitled:

A bill for an act entitled an act authorizing Boards of School Commissioners in all cities in which such Board exists under and by virtue of an act of the General Assembly of the State of Indiana, entitled, "An act providing for a general system of

common schools in all cities of thirty thousand or more inhabitants, and for the election of a Board of School Commissioners for such cities, and defining their duties and prescribing their powers, and providing for common school libraries within such cities," approved March 3, 1871, and all acts amendatory and supplementary thereto; to issue bonds for the purpose of erecting buildings for library and school office purposes; repealing all laws inconsistent therewith, and declaring an emergency.

Read first time and referred to Committee on City of Indianapolis.

Engrossed House Bill No. 270, entitled :

A bill for an act entitled an act authorizing Boards of School Commissioners in all cities in which such boards exist under and by virtue of an act of the General Assembly of the State of Indiana, entitled an act providing for a general system of common schools in all cities of thirty thousand or more inhabitants and for the election of a Board of School Commissioners for such cities, and defining their duties and prescribing their powers, and providing for common school libraries within such cities, approved March 3, 1871, and acts amendatory and supplemental thereto, and in which the office of City Treasurer has been abolished or may hereafter be abolished under the provisions of an act of the General Assembly of the State of Indiana, entitled, "An act concerning taxation for city and school purposes in cities containing a population of over seventy thousand as shown by the last census of the United States, to abolish the offices of City Assessor and City Treasurer in such cities, and provide for the discharge of the duties of such offices, and repealing laws in conflict therewith," approved February 21, 1885, to levy certain taxes for the support of common schools and for the support and maintenance of free public libraries in such cities, and to require the County Treasurer in all such cities to make monthly settlements with such Board of School Commissioners and providing the method of such settlement, repealing all laws inconsistent therewith, and declaring an emergency.

Read first time and referred to Committee on the City of Indianapolis.

At 4 o'clock this afternoon the Committee on Benevolent Institutions and Senator Harlan were granted leave of absence for the remainder of the day.

The Committees on Education and Agriculture were granted leave of absence for to-morrow to visit Purdue University.

On motion of Senator Kopelke the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

TUESDAY MORNING.

FEBRUARY 17, 1891.

The Senate convened at 9 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. Ph. Guethoff, of Crown Point, Indiana.

After the reading of a portion of the Journal, on motion of Senator Smith, the further reading of the same was dispensed with.

Senator Howard offered Concurrent Resolution No. 10, as follows :

WHEREAS, The State of Indiana has ornamented the city of Indianapolis with one of the most beautiful and magnificent State Houses in America ; therefore, be it

Resolved by the Senate, the House of Representatives concurring,
That the city of Indianapolis be requested, by purchase, condemnation, or otherwise, to obtain possession of the two quarter squares on each side of Market street, fronting on the east side of the State House, and convert the same into a park to give a fair approach to the grounds and buildings, and at the same time to beautify the city.

The resolution was adopted.

Senator Thompson, of Pulaski, was granted a leave of absence for the forenoon.

On motion of Senator Magee, Senate Bill No. 275 was made the special order for half past 11 o'clock this morning.

The question being on the motion to indefinitely postpone Senate Bill No. 150.

The same was lost.

On motion of Senator Shockney, further action on Senate Bill No. 150 was deferred until to-morrow morning at 9 o'clock.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 136, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 355, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 229, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 356, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 42, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 302, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 495, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 133, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Engrossed Senate Bill No. 74 was read a third time.

Senator Shockney offered the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 74 to a committee of one, with instructions to amend the same by striking out the words "five hundred," in line 2 of Section 1, and by inserting in lieu thereof the words "two hundred and fifty."

And by striking out the words "toilet-rooms," in line 3 of Section 1, and by inserting in lieu thereof the words "separate water closets for men and women."

And after the word "provide," in said line and section, the words "and maintain."

The motion was adopted.

Senator Shockney was appointed as such committee.

Senator Shockney, as the special committee, made the following report :

MR. PRESIDENT :

Your special committee of one, to whom was referred Senate Bill No. 74, beg leave to report that your committee has amended the bill as directed.

The report of the committee was concurred in.

Senator Kennedy offered the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 74 be referred to a special committee of one, with instructions to amend Section 1 by adding the following to Section 1 : "And shall keep such rooms open for a period of not less than one hour next preceding the arrival of all passenger trains that are allowed by schedule to stop at such stations."

The motion was adopted.

Senator Kennedy was appointed as such committee.

Senator Kennedy, as the special committee, made the following report :

MR. PRESIDENT :

Your special committee, to whom was referred Senate Bill No. 74, beg leave to report that he has amended said bill according to instructions.

The report of the committee was concurred in.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Clemans, Ellison, Francis, Fulk, Gilman, Griffith, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy Kerth, Kopelke, Lynn, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington. Total, 84.

Those voting in the negative were :

Senators Burke and Grose. Total, 2.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 108 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Clemans, Ellison, Foley, Francis, Fulk, Gilman, Griffith, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington. Total, 85.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Morgan was granted leave of absence for to-day.

On motion of Senator Burke the Senate took up Senate Bills on second reading.

Senate Bill No. 296, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill was ordered engrossed.

Senate Bill No. 275 was read a second time.

On motion of Senator Magee, the bill was ordered engrossed.

Senate Bill No. 186, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senator Byrd moved to suspend the rule and that a Senator be permitted to call up either a House bill or a Senate bill on second reading.

Senator Shockney moved to lay the motion upon the table.

The motion failed of adoption.

The question recurring upon the motion of Senator Byrd, which was adopted.

Senator Byrd moved that House Bill No. 206 be read a second time, and passed to a third reading.

The motion was adopted, and House Bill No. 206, together with the report of the committee thereon, was read a second time.

Senator Byrd moved to concur in the report of the committee.

The ayes and noes being demanded by Senators Shockney and Harlan.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Ellison, Foley, Francis, Fulk, Griffith, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, Magee, Moore, Shanks, Smith, Sweeney, Thompson of Marion. * Total, 25.

Those voting in the negative were :

Senators Boyd, Carver, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Mount and Shockney. Total, 10.

So the report was concurred in, and House Bill No. 206 was passed to third reading.

Senate Bill No. 180, together with the report of the committee thereon, was read a second time.

The report concurred in and the bill ordered engrossed.

Senate Bill No. 176, together with the report of the committee thereon, was read a second time.

The report concurred in and the bill ordered engrossed.

Senate Bill No. 206, together with the report of the committee thereon, was read a second time.

The report concurred in and the bill ordered engrossed.

Senate Bill No. 284, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 257, together with the majority and minority report, was read a second time.

Senator Fulk moved to concur in the minority report.

The ayes and noes being demanded by Senator Fulk.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Foley, Fulk, Magee, Moore, Shockney and Thompson of Pulaski. Total, 6.

Those voting in the negative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Clemans, Ellison, Francis, Gilman, Griffith, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Hubbell, Jackson, Jones, Kerth, Kopelke, Lynn, Mount, Shanks, Smith, Sweeney, Thompson of Marion, and Thompson of Huntington. Total, 80.

So the motion to concur in the minority report failed of an adoption, and the majority report was declared adopted.

Senate Bill No. 246, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 130, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 287, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 203, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 3, together with the majority and minority reports thereon, was read a second time.

Senator Harlan moved to concur in the minority report.

Senator Kopelke moved, as a substitute, the adoption of the majority report.

The ayes and noes being demanded by Senators Harlan and Hays.

The roll was called, which resulted as follows :

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Ellison, Foley, Francis, Griffith, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, Magee, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, Thompson of Huntington. Total, 25.

Those voting in the negative were:

Senators Boyd, Carver, Clemans, Fulk, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Moore, Mount, Shockney. Total, 13.

So the majority report was adopted.

Senate Bill No. 248, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 212, together with the majority and minority reports thereon, was read a second time.

Senator Jones moved to adopt the majority report.

Senator Burke moved to amend the motion of Senator Jones, that the further consideration of Senate Bill No. 212 be indefinitely postponed.

Which motion did not prevail.

The question recurring on Senator Jones' motion to adopt the majority report.

The same prevailed, and the bill was ordered engrossed.

The special order for this hour (11:30) being the consideration of Senate Bill 275, on motion of Senator Magee it was postponed until half-past ten o'clock Wednesday morning.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, IND., February 17, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has appointed Stanton J. Peelle, of Marion County, and William

C. Ball, of Vigo County, as trustees of the Indiana Reform School for Boys, to serve four years from February 23, 1891, and the same is respectfully presented for the consideration of the Senate.

W. B. ROBERTS,
Private Secretary.

Referred to the Committee on Executive Appointments.

Engrossed House Bill No. 70, together with the report of the committee thereon, was read a second time.

The report of the committee was not concurred in and the bill was passed to a third reading.

Senator Kerth moved that the rule be suspended, and that Senate Bill No. 314, which had not been laid on Senators' desks, be read a second time, together with the report of the committee thereon.

The motion failed to prevail.

Senate Bill No. 288, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

On motion of Senator Magee the Senate adjourned.

TUESDAY AFTERNOON.

FEBRUARY 17, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

Senator Francis presented the following memorial :

To the Senate of the State of Indiana:

GREETING: Your petitioners, representatives of united labor of Laporte County, State of Indiana, in joint session, have this day formulated and adopted the following resolutions, and demand from their representatives an early and favorable consideration :

WHEREAS, It is a well known fact that laws enacted for the protection and welfare of the laboring classes are constantly violated by unscrupulous and law-defying corporations and employers; and,

WHEREAS, We believe it is necessary for the better protection of the life and health of employes of railroads, mines, factories and workshops; therefore,

Resolved, That we demand the appointment of an inspector for each Congressional district in the State of Indiana, whose duty it shall be to see that all laws bearing upon that subject now enacted, and all laws which may be enacted hereafter, for the protection of employes of railroads, mines, factories and workshops be strictly enforced; and,

WHEREAS, We believe education to be the corner-stone of progress and civilized society; and,

WHEREAS, The free educational institutions of this State have proved to be of the utmost benefit for the scientific, industrial and moral progress of its citizens; therefore, be it

Resolved, That to still further increase the blessings of these institutions we demand from the hands of the Legislature the enactment of a statute providing for free text-books to all children attending our public schools.

Hoping that the demands embodied in these resolutions will meet with a fair and favorable consideration from your honorable body, we are your obedient servants for the Federation of Labor of Laporte County, State of Indiana.

CHARLES MORRISON,
Chairman,

A. W. BECKER,
Secretary.

Referred to Committee on Labor.

Senator Thompson, of Marion, chairman of the Committee on Affairs of the City of Indianapolis, made the following report on Engrossed House Bill No. 270:

MR. PRESIDENT:

Your Committee on Affairs of the City of Indianapolis, to whom was referred Engrossed House Bill No. 270, introduced by Representative Mack, have had the same under consideration, and beg leave to report the same back with the recommendation that the bill do pass.

Senator Thompson, of Marion, chairman of Committee on Affairs of the City of Indianapolis, also made the following report on Engrossed House Bill No. 269:

MR. PRESIDENT:

Your Committee on Affairs of the City of Indianapolis, to whom was referred Engrossed House Bill No. 269, introduced by Representative Mack, beg leave to report the same back with the recommendation that the bill do pass.

Senator Sweeney, chairman of the Committee on Corporations, made the following report on Senate Bill No. 319:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 319, introduced by Senator Sweeney, have had the same under consideration, and have the honor to report the same back with the recommendation that it do pass.

SWEENEY,
Chairman.

Senator Sweeney, of same committee, made the following report on Engrossed House Bill No. 184:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Engrossed House Bill No. 184, introduced by Representative Curtis, have had the said bill under consideration, and beg leave to report the same back with the recommendation that it do pass.

SWEENEY,
Chairman.

Senator Burke offered the following amendment to Senate Bill No. 288:

MR. PRESIDENT:

I move that Senate Bill No. 288 be amended by striking out the word "reporter," in line 6 of the printed bill, and by adding to said section the words: "*Provided, That the provisions of this act shall not apply to a newspaper reporter of any newspaper acting as such.*"

Senator Kopelke moved to reject the amendment.

The ayes and noes were demanded by Senators Burke and Magee:

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Carver, Ellison, Foley, Gilman, Hanley, Hays, Hobson, Holland, Howard, Hudson, Jackson, Kennedy, Kopelke, Lynn, Mount, Shockney, Smith, and Thompson of Pulaski. Total, 19.

Those voting in the negative were:

Senators Boyd, Burke, Byrd, Clemans, Ewing, Francis, Fulk, Griffith, Harlan, Hayden, Holcomb, Hubbell, Jones, Kerth, Magee, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington. Total, 20.

So the motion to reject was lost.

The question recurred upon the adoption of the amendment.

The amendment was adopted and the bill as amended was ordered engrossed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 539 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Engrossed House Bill No. 62, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered printed.

Senate Bill No. 76, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 182, together with the report of the committee thereon, was read a second time.

The report was concurred in and the bill ordered engrossed.

Senate Bill No. 219, together with the report of the committee thereon, was read a second time.

The report was concurred in and the bill ordered engrossed.

Senate Bill No. 128, together with the report of the committee thereon, was read a second time.

Senator Shockney moved that the minority report be concurred in.

Senator Ewing moved to amend, that the majority report be concurred in.

Which motion was lost.

The question recurring on Senator Shockney's motion, the same was adopted.

On motion of Senator Ewing the minority report as adopted was laid upon the table.

Senator Fulk, Chairman of the Committee on Organization of Courts, made the following report on Senate Bill No. 18:

MR. PRESIDENT:

Your Committee on the Organization of Courts, to whom was referred Senate Bill No. 18, introduced by Senator Ewing, beg leave to report the same back with the recommendation that it be indefinitely postponed.

R. A. FULK,
Chairman.

The report of the committee was concurred in.

Senate Bill No. 250, together with the report of the committee thereon, was read a second time.

On motion of Senator Sweeney, the majority report was adopted, and the bill ordered engrossed.

Senator Ewing introduced Senate Bill No. 337, entitled:

A bill for an act authorizing and empowering married women, whose husbands are insane, to convey their separate real estate, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

The hour of 3 P. M. having arrived and the special order for this hour being the report of the special committee appointed to prepare appropriate resolutions of respect to the memory of General Sherman and Admiral Porter, Senator Grose, chairman of the Memorial Committee, offered the following report and resolutions:

MR. PRESIDENT:

The special committee, upon whom was conferred the duty to report to the Senate for its action suitable resolutions of condolence, because of the nation's loss in the death of General William T. Sherman and that of Admiral David Porter, direct us to report the following:

1. *Resolved by the State Senate of Indiana*, That it is with great grief and sorrow that we record the deaths of these two useful, great, and good patriots and heroes in public and private life.

2. That we tender on behalf of the people of the State to the families and relatives thereof, our sincere condolence in this, their irreparable loss.

3. That this report be recorded upon the Journal of the Senate.

WILLIAM GROSE,
THOMAS E. BOYD,
TIMOTHY E. HOWARD,
Committee.

Senator Grose made the following remarks upon the adoption of the resolution:

MR. PRESIDENT:

The soldier in every age of the world, because of his bravery and patriotism, has had the praise of his people, and especially where the service was upon the side of his Government, or

when a revolution would be successful in the establishment of a new government; he would be popular with the new, and unpopular with the old, but yet admired by all for his daring and bravery.

Admiral Porter, with whom we had but a limited acquaintance, stood of the foremost of the Navy of the United States, with a well spent long life in the service of our country, with an undying fame to live after him as long as this Government may remain, and the loss of whom our Nation mourns throughout its borders.

Of General William Tecumseh Sherman, by the death of whom our country is now in deep sorrow, a life-long student of military science, a warrior for his people, because of his love of country and her institutions, careful, cautious, brave and daring upon the bloody field of strife and death, yet in social life genial and mild as a child; always encouraging, never despondent; loved society and friends; vivid and lively, with interesting and beautiful anecdotes. A model for emulation; the obedient comrade and peer of the great Captain of the late war and age in which he lived. Kind to subordinates, from the highest to the lowest private soldier. We had the honor to be with him and hear him upon the noted and successful Atlanta campaign, which broke the rebellion and largely assisted in the fall of Richmond. Marching through Georgia will remain noted in history and in song, in the rolling ages to come, made so by the daring movements of the armies of the Cumberland, Tennessee and the Ohio, under the command of General Sherman. The Atlanta campaign proper, from Chattanooga to Lovejoy, twenty-six miles south of Atlanta, were of four months duration, from May 3 to September 8, 1864, one hundred days of which some portion of these armies were under fire in battle. After this came the march to the sea, devised by General Sherman, upon conference with General Grant, then in command of all the Union forces of the United States. Then the Army of the Cumberland was divided, two corps to proceed with General Sherman to the sea, one to return with General Thomas to meet the rebel forces at Franklin and Nashville. General Sherman then cut loose from the "cracker line" for the South. Arrived at Savannah, and there spent the holidays with our southern friends; from thence

through the Carolinas, meeting and capturing the Rebel army under Joe Johnson, in old North Carolina; from thence north through Virginia to our National capital. The grandest campaign ever made successfully through the country of the enemy, with such numbers contending, that history records in any war. Thus the war was over, and it was said, "Let us have peace." Davis had run, Lee had surrendered to another compeer of our great Tecumseh. This great general was thus crowned with honors, his cup was full, no civil office that he would desire or accept. We now mourn his departure from us into the great unknown, but we hope for him in the eternal fields, happiness and peace forever more.

Senator Howard addressed the Senate, on the resolutions, as follows:

MR. PRESIDENT:

The sacred Scriptures, in referring to certain great men of a former generation, uses this simple and sublime language: "And there were giants in those days." The earth, in her yearly course around the sun, flying through space at the inconceivable velocity of nineteen miles a second, passes into the presence and under the influence of vast bodies in the outer universe, and yet we remain unconscious of the nearness to our pathway of anything extraordinary in the heavens. It is related of a reverential disciple of Goethe that after following the footsteps of the poet through the haunts of his youth, and visiting the scenes of his walks and studies, and conversing with those who had known and talked with that great writer while he was yet a young man and unknown to fame, exclaimed, "And was there no one who recognized the presence of the God?" Nay, more; when the Son of Man himself walked the earth in Judea, while he plied His vocation as a carpenter, or preached to the multitude on the mountain, who was it that recognized the presence of the Deity? So true it is that nothing great is appreciated by us until we have lost it. Washington is better known to us, is far more justly appreciated, than he was to his contemporaries of the Revolution, even as the vast bulk and immense uplifting of the mountain can only be known when we have receded afar from it.

Sherman is dead; his body even at this moment rests natural as in life in the quiet chamber of his home, surrounded

by sorrowing kindred and friends. Do we appreciate what this is? We think we know and admire and recognize the greatness of Sherman. We do, indeed, so far as we can. But time is to come yet when men will look back even upon this hour and say: "That was the heroic age of America." We are passing through this extraordinary epoch in our history, but the world has not yet realized, can not as yet realize, the greatness of the age. The men of our day have looked upon Lincoln and Grant, Thomas and Rosecrans, Hancock and Custer; they have grasped them by the hand and talked to them face to face, and yet have scarcely known the presence of their greatness. But men will yet look upon this period of history and exclaim again: "And there were giants in those days." Those who are yet young men remember the flash of national grandeur that shone as a burst of flame when the people first heard the names of Henry and Donaldson, of Shiloh, of Vicksburg and Stone River. It was re-awakening of national life, and the warm blood has ever since more proudly coursed through the veins of the Republic.

The conquests and campaigns of Alexander and Hannibal, of Cæsar and Napoleon, are not more renowned in song and story than shall be our victories and our marches. The superb campaign of Rosecrans from Nashville to Chattanooga, the stupendous movements of Grant from the Wilderness to Appomattox, and the most brilliant of all marches, that of Sherman to the Sea, eclipse anything save the most extraordinary movements of the armies of the world. This great age is closing, nay, it is almost closed, while we yet live. Sherman, the greatest of those that have remained with us, and one of the greatest of all, has passed to immortality. He has left to his countrymen almost a perfect example of the ideal hero. He was purely a military man, and so his great fame is preserved, pure and simple, in its singular eminence. It was my privilege to be near Sherman when he first became famous. I was with Prentiss' division on the left front of Grant's army at Shiloh, where Sherman commanded the extreme right-front about Shiloh church. It was afterwards my privilege to meet him and talk with him in Vicksburg just after the capture. Again after the war it was my privilege to address him in public on the occasion of the commemoration of the death of his

oldest and most beloved son, Willie Sherman. Well do I remember the feeling response made by him on that occasion, when the tears came to the hero's eyes as he exclaimed in words that thrill to this day: "Whoever was Willie Sherman's friend is my friend." To day I esteem it one of the rare privileges of my life to speak in this presence of that most eminent American; that world-famed, yet simple and childlike man. In his address, as I last remember it, he called upon the young men about him to cherish and preserve the free government which had been saved to us by so much valor and treasure, and to take as the model American George Washington.

To-day I would add to what he then so modestly said: Let us be faithful to the principles of our fathers who established our independence as a free people, and to those who secured the stability of our free institutions, and the union of all our people forever. And in the multitude of our great men let us cherish with a special love and honor that modest man of genius, that brave, unselfish American who has made for himself, by simply doing his duty, the highest place in history, William Tecumseh Sherman.

Pending the resolutions on the death of General Sherman, Senator Mount said:

MR. PRESIDENT:

The resolutions now pending before the Senate are expressive of the love and honor due a great commander from a patriotic people. All governments delight to honor their brave defenders. In burning eloquence, in song, in art and in history they seek to perpetuate the fame of their heroes. To commemorate Grecian valor, on the field of Marathan was erected a monument bearing this inscription:

"Miltiades! thy fame must every Persian own,
And honored by thy prowess lies the field of Marathan."

Honored by the prowess of General Sherman are many battle fields, as grand in results to this country as was the battle of Marathan to ancient Greece. General Sherman was a military genius, he was master of the art and science of war. He was possessed of that military sagacity which enabled him to forestall with much certainty in the beginning of a campaign, the end that would be attained. In the beginning of the

"great rebellion" he possessed a clear conception of its magnitude, and foreshadowed the ultimatum. He says his decision in 1861 was the grand epoch of his life. At that time he was stationed in the South, knew the spirit of war that prevailed there. He had witnessed the marshalling of armies, and fully comprehended the magnitude of the oncoming conflict. In this supreme crisis, General Sherman decided to unsheath his sword in the defense of the flag of his country, the union of States. That decision was prompted by a lofty patriotism. In the mortal conflict, fighting at Bull Run, at Shiloh, or at Vicksburg, or in cleaving in twain the Confederate States, he was the same indomitable, intrepid, invincible hero.

Napoleon Bonaparte marched through the empires of Europe and dictated terms inside the gates of their capital cities. General Sherman's "Atlanta campaign," his "march to the sea" was as brilliant in strategic achievements, as bold in its conception, as skillful in execution, and fraught with as grand results as crowned the most brilliant of Napoleon's campaigns. As a commander he was brave, but not rash; daring, but not reckless; prudent, but not timid. In discipline he was firm, but not severe; systematic, but not exacting; order, method and precision characterized alike the movement of his immense supply trains, and the march of his conquering army. In short, William Tecumseh Sherman was a military hero equal to all the emergencies of war. In him were combined the "courage of a lion and the loving gentleness of a woman." "He was as tender and kind in civil life as he was brave and successful in war." He inspired the confidence, enthusiasm and courage of his men.

The conquering hero is gone, but his fame will abide. He has left, as a priceless boon, his illustrious achievements. We may build to his memory a monument that emulates the blue dome of heaven, yet fail to reach the summit of his lofty patriotism, of his eminent service. We may build of the most enduring granite, yet his name will live when these monuments shall have crumbled to dust. The love between Sherman and his army was akin to that which knit the soul of Jonathan to the soul of David, "passing the love of woman." A love born of mutual suffering, privation and danger, and made strong in the flaming forge of battle.

Our beloved comrade and commander has crossed the silent river; sorrow fills our hearts to-day. In the home of the soldier his name was as familiar as household words, and as dear as a household jewel. Like the mourning of the Israelites at Abel-mizraim for the dead patriarch, so mourn the old soldiers for their beloved leader.

Comrades, we are marching toward the margin of the river. Hurriedly the old veterans of the war are crossing over and joining the silent army of the dead. May the sentiment of all liberty-loving hearts for the dead soldier be that of the poet when he sang:

"How sweet the brave, who sink to rest
By all their country's wishest blest,
By hands unseen their knell is rung,
By forms unseen their dirge is sung;
There honor comes a pilgrim gray
To bless the turf that wraps their clay,
And freedom shall awhile repair
To dwell a weeping hermit there."

Pending the resolution, Senator Gilman stated as follows:

MR. PRESIDENT:

The history of every country of note is, in fact, but the history of the character and achievements of its citizens. Nothing of note or importance can be found in history, outside of natural laws, except it relates to events traceable directly to the action of certain individuals connected therewith. This being true, it follows that the fame, or good name and glory of any country or people are but its inheritance from the grand achievements of its own sons. From this source, and this source alone, can our beloved country lay claim to anything of value which is not the common property of every nation. As the citizens of a country young in years, we have been highly blessed. No other nation under the sun has had a richer or nobler inheritance, founded on the true worth and valor of her sons than ours, and though we have had many whose life and character have added luster to the name of America, and caused our hearts to thrill with joy and pride of our country and her heroes; yet we feel at this time that to be put on an equality with other nations, the most favored, does not do us full justice; but that in General William T. Sherman, of the United States

of America, we have a character *above* the common standard for the measurement of heroes. We, nor the average man, can say for a certainty that he was the equal as a military chieftain of Antony or Cæsar of Rome, Alexander of Greece, Bonaparte of France, or Wellington of England. The march from Atlanta to the sea, had it failed, would have been condemned by soldier and citizen alike. Each of those great Generals conferred upon their countries great honor and dignity, never to be forgotten, and of which the citizens of their respective countries and their descendants are, and of right ought to be, proud. But this we believe, that we have in him whose life and services we honor this day, a hero greater than all. Who among them all has not left to history, coupled with their great achievements, the evidences of human *frailties* and *defects*, which have, to some extent, thrown over their otherwise grand career a cloud or blur, showing to the world plainly that, though great as statesmen and brave as warriors, yet that their greatness and bravery was cumbered with the weaknesses common to man?

It is a matter of history that great heroes are sometimes cruel, avaricious, sometimes lacking even common honesty, selfish in disposition, greedy of gain, oft preferring their own to their country's good. But we present the subject of to-day's ceremony as a veritable prince among men in this, that if he had in his character one trait or weakness which could call a blush to the cheek of the purest or the best it was never known. If he had the spirit of jealousy with which so many otherwise great men have been endowed there is not a trace or act in his long life to show it.

The history of the world does not show the character of a half dozen men whose whole life can compare in that which goes to make up a perfect man with the life now completed of General Wm. T. Sherman, of the United States of America.

Brave, yet merciful; a strict disciplinarian, with a heart full of charity. No call to him was heard so quick as was the call to duty. As a politician, greater than any party. As a friend, always trusted, affectionate, kind, true, and ever loyal, sound in judgment. Who shall not say that he has not only added largely to the greatness and glory of our country by his grand achievements, but he has laid humanity itself and the world

at large a debtor to him in that he has in his own life raised higher the standard of humanity. There may have been, and doubtless were, thousands in the rank and file and in private life who, unknown to the world, have been as brave, as true, as honest, as faithful, as unselfish, whom no temptation could swerve, as was this man, and for the credit of humanity we hope it's true. But General Sherman's life goes into history, and known to the world as the life of a grand American hero, whose character is without a blemish, and we, as a people, are richer, and should be better because of this legacy. A prince hath passed away, and not only America but the whole world is bereaved and should honor his memory.

Pending the resolutions, Senator Boyd addressed the Senate as follows:

MR. PRESIDENT:

I desire to address myself to the resolution under consideration. Just a few hours ago, upon all the bulletin boards of the country was read by eager throngs of people the sad announcement: Died, William Tecumseh Sherman, at New York, February 14, 1:50 P. M., aged seventy-one years. The universal verdict of the people is, a great life has gone out; the Nation mourns. We are very forcibly reminded that in the midst of life we are in death. General William Tecumseh Sherman was the most prominent figure in the United States. He was the last of the great and prominent generals of the late war. His services live, and the impress of his great heart upon the soldiery of the country can never be forgotten. History will record the same songs, and camp-fire speeches will revive his memory. "Marching through Georgia" will be sung by unborn generations. A massive monument will be reared in the near future that will speak to the world of his courage, valor, patriotism, and love of country will grow stronger and more intense, until any doubts as to the perpetuity and safety of our Republic will be forever removed.

The career of General Sherman is perhaps as well known to the people of the whole country as that of any man who has died during the last quarter of a century. The old and middle-aged remember his history as a part of their very being. The soldiers remember Sherman and the scenes of death and carnage. It is a part of their lives burned into their minds on

fields of smoke, battle and death. Those whose remembrance does not extend back to the war of the rebellion know the history of our departed chieftain on account of the fact that the press of the country has continually, since 1865, sacredly kept his grand achievements before the people; and the press has recently told the grand story in all its phases until every reader feels that he is personally acquainted with the life and character of our lamented General. This being the case it would be almost a useless repetition to recount here the deeds which have been woven and interwoven into the history of our native land.

* * * * *

General Sherman was like many of our greatest men whose lives have blessed our country and helped reform and save its institutions. He came up to the great height which he attained by his own indomitable perseverance and heroic industry. His start was from the humblest walks of life; his acquaintance with the poor and common class of people left in his heart an appreciation for the wants and desires of those who are the toiling masses of the people. * * *

Educated in the National Military School, and fitted and qualified by nature and by attainments for the active service which so notably distinguished him, he did not, in the hour of his country's peril, turn this knowledge so obtained to the destruction of his country and his country's flag, but well repaid the debt thus placed upon him. The flag with all that it represents; the token of the Nation's power and majesty; the emblem of freedom and right, was ever the object of his devoted and zealous love. His adoration for his country and its great institutions were never, by his vilest enemy, questioned for a single moment. When the great struggle for national supremacy came; when an armed and well equipped force signified their intention of separating this Union; when the conflict grew fierce and men doubted the tenor of our republic form of government; when treason lurked in all the departments of the Government; when copperheadism and distrust were found in many places in the north; when our munitions of war had been stolen; our navies were plowing southern waters; the flag at Fort Sumter had been fired upon, and the black clouds of treason were ominously seen everywhere, the

Government found in General William Tecumseh Sherman, a man well equipped in knowledge and ready in spirit to meet the armed and desperate rebellious hosts that confronted us. He had a soldier's education and a soldier's experience to bring to our Nation's aid, and in every department of the soldier's duty he proved equal to all the tasks that were imposed upon him.

Far out to the front and on Shiloh's bloody shores he led his division of untrained recruits against the shock of the enemy's hosts and formed a barrier against the on-rushing wave of destruction. At Chickamauga, met by almost every conceivable object, he distinguished himself to the entire credit of the Nation. After this great conflict he turned on Arkansas Port and delivered a stunning blow and achieved a magnificent success. Jackson, Mississippi, felt and heard the tread of his conquering Fifteenth Corps. He was the right hand of Grant in the great Vicksburg campaign, and his rear guard in the siege which ended in the fall of that stronghold and permitted the Father of Waters to go unvexed to the sea. Like the voice of doom, his roaring artillery and rattling musketry, in the hands of men who never faltered and supported him on every battlefield, he struck terror to the heart of Bragg and his entrenched army.

On Missionary Ridge, in one continuous battle, although wounded and suffering at the time, he was enabled to drive the opposing enemy from the field and from Dalton to Atlanta.

The great heart of the loyal people of the North leaped with pride and joy when Atlanta fell, after more than a month's siege. Then it was that Sherman was permitted, with the surviving remnants of his army, to bring them into the great unknown, out of the reach of telegraphic communications, his whereabouts practically unknown by the world in that wonderful march to the sea; and while his army was poorly clad, many of them diseased and almost starving, on account of their wonderful confidence in their commander they gladly and cheerfully followed him to the sea, singing that grand old song, "Marching Through Georgia." The country waited in anxious suspense until the welcome sound of his guns was heard in the Carolinas. By superhuman labor he pushed the remnant of the exhausted enemy, and when that vanquished

army stacked arms and gave its parole to him the rebellion was dead. Then what a wonderful shout went up from every Northern home! The great General was at once lionized in the hearts of his people. He retired to his home and the bosom of his family. During all the time that he was engaged in the service of his country he never lost touch with the people; and his prophecies as to what it would require to put down the rebellion were perhaps more exact than those of any one who spoke upon this subject during the early part of the rebellion. He apprehended the magnitude of the struggle, but never at any time by act or word indicated that he desired to shirk the great and responsible duties devolving upon him. He was great in this: He never overestimated his own ability; he never allowed himself to become jealous of that prince of soldiers and hero of all wars, the illustrious General U. S. Grant. His love for his comrades was beyond the conception of ordinary men. His greatness fills the earth, and to-day eight hundred thousand soldiers stand with uncovered heads to do honor to his memory. Time rights all things. He was most severely criticised during the early part of the war, but his critics to-day stand amazed at their absolute stupidity, and the halo of glory that surrounds his achievements, won in the fire and shell of battle, are the wonder of the nation. Our flag was indeed baptized in blood, but out of this great baptism the shackles fell from four millions of human beings. The Union was cemented together in the best blood of its patriotic citizens, and to our departed dead, to him we mourn to-day, we owe much, and his memory we shall ever revere.

The soldiers of the late war are fast passing away. The Government has kindly administered to their wants, but we claim it has not done too much. While we appreciate and laud the record of General Sherman and others of our beloved dead, we shall not forget the private soldier.

I learned not long ago, in the city of Washington, that more than thirty thousand persons were in the employ of the Government in that city alone; that the Government pays for their services between sixty and seventy millions of dollars annually. I looked upon the Capitol of the United States, the most magnificent structure perhaps known to the world, and I could read written across its dome in blood, "Liberty." I remembered

that two millions two hundred thousand persons enlisted, from first to last, to defend the Nation; that four hundred thousand of them died in hospitals and upon bloody fields of battle; that perhaps eight thousand have died since they were discharged from the United States service; and I felt that these men, or the eight hundred thousand who yet survive, should have from this great, good and wealthy Government at least one hundred and fifty millions of dollars annually in pensions. Have these men earned it? Go to the blind departments of our National Soldiers' Homes, the hospitals and cemeteries of our country, and the question is answered. Follow up the history of these men, who so magnificently supported General Sherman, and we will find that they followed him and U. S. Grant, John A. Logan, General Hancock and others in all their grand marches; Grant from Cairo to Richmond, by Belmont's repulse to Donaldson's glorious victory; by the bayous of the Mississippi and the marshes of the Yazoo to the Grand Gulf; by the Big Black to the battles and surrender of Vicksburg, to the bloody Chickamauga and Missionary Ridge, to the Rapidan and the battles of the Wilderness, to Spottsylvania and the Chickahominy, by the bloody field of Cold Harbor, by the James to the storming of Petersburg, and the surrender of Appomattox Court House.

We revere and honor to-day, in this memorial service, the immortal Lincoln, whom we can truthfully say was not born to die; the illustrious U. S. Grant, whose name in the United States will ever be a household word; Hancock, that gallant unexcelled corps commander; Garfield, the illustrious statesman and soldier; John A. Logan, who, in spite of the fact that he had not been educated in a military school, rose to great distinction and honor; by these men's services and others, supported by the common soldiery of the country, the nation was saved from dishonor, and the Union undivided. Human slavery has been crushed from existence, and the white-plumed wings of peace have waited away the smoke of battle, and as these old veterans drop off one by one, in the wake of Admiral Porter and General William T. Sherman, let the prayer of the Nation be that this country may never learn war again, and that the immeasurable future, as its pages are opened up one by one, rise higher and higher in the scale of intelligence and civilization, until we are known as the brightest republic on the face of the earth.

Pending the resolution, President Chase said :

MR. CHAIRMAN :

This nation has not been called upon to mourn the loss of her well beloved and illustrious servants for sixty-five years as she is this day. July 4, 1826, Adams and Jefferson passed away from the scenes of earth. To-day we mourn for the General of the army and the Admiral of the navy—Sherman and Porter. With the history of General Sherman it has been my good fortune to be familiar for a period of twenty-nine years. The regiment to which I belonged was inspected and reviewed by him at Elizabethtown, Ky., in the fall of 1861, when he took command of all the troops in that State.

His qualities of mind and heart have impressed themselves upon the nation and have been eloquently portrayed by the Senators who have preceded me. His fame as a general is the heritage of every surviving Union soldier of this great Republic, and will by them be jealously guarded. He looked upon us in the light of "his boys," and we received his counsel with reverence, as coming from a father.

It has been my great privilege to know this fallen chieftain quite intimately in private and civil life for several years. He was always the generous, unselfish, kind hearted, modest, great man. Commencing with the National Encampment of the Grand Army of the Republic at San Francisco, in 1886, and ending with Boston, in 1890, he was the central figure. No entreaty when "off duty" ever induced him to leave the floor where he was seated with the delegates from the Department of Missouri to occupy a conspicuous seat upon the platform. He would say: "I prefer to remain with my comrades, the delegates from my department, where I belong." Not one of us can forget the wildness of that scene as the entire Encampment arose and cheered and cheered again the man who was ever the soldier's friend, and who appreciated comradeship.

For years he held aloof from the order, thinking it but a political organization. When his mind became disabused none entered into its principles with greater zeal than General Sherman. I see "Uncle Billy," as he was popularly and I may say lovingly called, in a fatigue suit with a gold band around his slouch hat, which was lettered G. A. R., cheap in design, and

wearing, as the only insignia of rank, the eagle and star, manufactured from captured cannon, the badge of every member of this grandest of all orders instituted by men.

His words of wisdom will ever ring in our ears, and his love and devotion to country and flag is now, and ever must be, an inspiration to the loyal children of this land.

With what becoming grace he accepted the weight of years, looking forward to the time when he would be conquered by the last enemy of man with unblanched cheek, ever ready "to wrap the drapery of his couch about him, and lie down to pleasing dreams."

If I were called upon, Mr. Chairman, to point to the bravest act of his life, I would call up the scene of October 3, 1863, when his "dear soldier boy Willie" died in Memphis, Tenn., and he sent his grief-stricken family north to bury his body in the cemetery at Lancaster, O., while he, with his face wet with tears, turned the head of the column of his army eastward toward Chattanooga—to meet a soldier's fate in the service of his country—to do what God might direct to save the flag he loved, with an ardor that was greater than love for living or dead, however dear to him they might be. A rent flag meant a divided country, and a divided country meant no home to him, secure from interminable strife.

Again, if I were asked to name that which carried with it the most momentous and the most far reaching consequences in its results in one single deed which our hero performed with a spirit of absolute unselfishness, and as he believed for his country's best and highest good, I would say it was when he rode out of his way to visit Grant's headquarters in June, 1862, and "begged him to reconsider his determination to leave the army" as he intended to do on the following day.

Grant considered the entreaty of his friend, recalled his request for leave of absence, and the result of that decision is before the world, forming some of the brightest pages in history. Sherman regarded this action of Grant as the most critical period of the war.

Sherman, though the better scholar, and Grant's senior by two years, always, and everywhere, conceded to his commander the fame which history accords him, and soldier like,

was ever a true and loyal subordinate. Here the shining qualities of Sherman's great heart and noble life as a man and military genius, scarcely second to none, is brought out very distinctly before the reader of history.

Our hero never knew the want of a dollar while securing his education. Not so with Grant, who was born and reared of humble parentage, and surrounded by circumstances that made it necessary to use the strictest economy from his boyhood until he won the star of a brigadier general. Thanks to our splendid school system, the child of the poor man stands an equal chance in the race of life with those who are raised in opulence. The way to the White House may run out from the log cabin to the tow-path, the tan yard, the tailor shop, if the mule driver, the tanner and the tailor possesses merit, coupled with perseverance. May the memory of the gallant leaders of the army of the Union inspire the hearts of this and coming generations to appreciate the sacrifices that have been made for their happiness and prosperity.

By the memory of my mother as I see her standing in the doorway of the home bravely suppressing her tears as she bade her boys "good bye" and "to do their duty," by the honored flag that waves in triumph from the Atlantic to the sloping shores of the Pacific, by tears we shed in memory of our brave, patriotic and gallant heroes, significant of both love and sorrow, we will teach the oncoming generations to revere the memory of these heroes who, through God, have left them the grandest heritage ever transmitted by fathers to children's children.

On motion of Senator Grose, the resolutions were unanimously adopted by a rising vote.

On motion of Senator Shockney, the Senate adjourned at 4 o'clock in honor of the departed heroes.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

WEDNESDAY MORNING.

FEBRUARY 18, 1891.

The Senate convened at 9 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. Oscar McCulloch, of Plymouth Church, Indianapolis.

After reading a portion of the Journal, on motion of Senator Jackson, the further reading of the same was dispensed with.

Senator Jackson, chairman of the Committee on County and Township Business, offered the following report on Engrossed House Bill No. 409:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Engrossed House Bill No. 409, introduced by Representative Bernethy, beg leave to report the same back with the recommendation that the bill do pass.

A. M. JACKSON,
Chairman.

Senator Jackson, chairman of the same committee, also offered the following report on Senate Bill No. 312:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 312, introduced by Senator Sweeney, beg leave to report the same back with the recommendation that the bill be printed.

A. M. JACKSON,
Chairman.

The bill was ordered printed.

Senator Smith, chairman of the Committee on Prisons, made the following report: .

MR. PRESIDENT :

Your Committee on Prisons beg leave to state that they have made a personal examination of the needs, affairs, conditions and management of the Prison South, and after consideration we respectfully submit the following findings, recommendations and reports, namely :

The sanitary condition of the institution we find to be in all respects very good; the convicts are well clothed, well fed, with an ample supply of substantial food suited to their condition; their cells properly kept and beds supplied with sufficient clothing. That said institution is provided with a skilled physician, under whose treatment convicts receive all needful attention; that there are very few of said inmates now in need of medical attention; that they are all treated kindly, and have the advantage of a school held twice a week and conducted by a competent instructor; that there is a library containing — volumes of the best writers, which is kept for the benefit of the convicts, who are permitted and encouraged in the use of same. They seem cheerful, and, while the discipline is not severe, they are taught to understand that obedience is an essential; the theory of the management of said institution tends toward reformation.

We further find that there is no adequate outlet to the sewerage now provided for said prison, and that the facts concerning the same, as stated in the recent report of the Warden and Board of Directors filed with the Governor, are true.

We further find that said institution is supplied with appliances and improvements in many of its departments, which are unequaled in any public institution within this State; its cooking and kitchen utensils, its dump, and many other of its arrangements are perfect, many of them having been the inventions of the Warden and being perfectly adapted to the purposes for which they are used.

We further find that about four acres of the prison grounds are enclosed only by an old wooden fence or structure, which, by reason of age, is rotten and insecure to such an extent that it would not be practicable to repair it; and by reason of the

nsecurity and condition of said wall, it is, a constant temptation for the escape of convicts, and requires additional guard and vigilance.

We further find that the accounts of the Warden are in all respects correct, and that the system of book-keeping inaugurated by him is most perfect and highly to his credit.

We further find that said institution is more than self-sustaining, and that the management thereof, in all its details, is entirely satisfactory to your committee.

We recommend that a new wall be erected and sewer constructed, as prayed for in the report of the Board of Directors and Warden, and more definitely described in Senate Bill No. 291, now pending.

Having investigated the duties and responsibilities of the officers of said prison, and having been informed of the salaries received by like officers in like institutions in neighboring States, and finding the salaries of the Warden and Deputy Warden to be too low in comparison with the salaries paid for like services in other States, and also being too low in our judgment, we recommend that the salary of the Warden be fixed by law at twenty-five hundred dollars (\$2,500.00) per annum, and of the Deputy Warden at twelve hundred dollars (\$1,200.00) per annum, and that they be allowed no perquisites of any kind whatever.

We further find that there is great credit due the Warden and management for the superior manner in which they have succeeded in an almost complete transformation of the former condition of said institution. We therefore submit this report for your consideration. Respectfully submitted,

H. B. SMITH,
Chairman.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 560, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 16, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 5, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has failed to pass Senate Bill No. 32, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senators Byrd, Chandler, Hobson, Carver and McGregor were granted indefinite leave of absence.

Senator Thompson, of Pulaski, Chairman of Committee on Public Health, made the following report on Engrossed House Bill No. 173 :

MR. PRESIDENT :

Your Committee on Public Health, Vital and other Statistics, to whom was referred Engrossed House Bill No. 173, introduced by Representative Curtis, have had the said bill under consideration and beg leave to report the same back with the recommendation that it be indefinitely postponed.

THOMPSON,
Chairman.

The report of the committee was concurred in.

Senator Holland, chairman of Committee on Claims, made the following report on Engrossed House Bill No. 386 :

MR. PRESIDENT :

Your Committee on Claims, to whom was referred House Bill No. 386, introduced by Representative Curtis, having considered the same, recommend that the said bill pass (being the same as Senate Bill No. —), and that said bill be referred to the Committee on Finance.

Senator Holland, chairman of the Committee on Claims, also, made the following report on Senate Bill No. 240 :

MR. PRESIDENT :

Your Committee on Claims, to whom was referred Senate Bill No. 240, introduced by Senator French, having considered the same, recommend that said bill pass, and that the same be referred to the Committee on Finance.

The report was concurred in.

Senator Wiggs, chairman of the Committee on Federal Relations and Rights, and Privileges of the Inhabitants of the State, offered the following report :

MR. PRESIDENT :

Your Committee on Federal Relations, and Rights and Privileges of the Inhabitants of the State, to whom was referred Senator Hudson's motion to correct so much of the Senate Journal as relates to the reconsideration of Senate Bill No. 179, and also, the proceedings of the Senate pending the said motion to reconsider, have taken the whole matter under advice and have the honor to submit the following report :

First. The oral motion by Senator Hobson was simply to reconsider the vote on Senate Bill No. 179.

Second. When reduced to writing, the motion embraced a request that the bill be returned from the House.

Third. The motion, as made by Senator Hobson, was objected to by Senator Hudson, who arose to the point of order that the bill had not been recalled from the House.

Fourth. The motion, as made, was put by the Chair and carried, and was declared carried by the Chair, notwithstanding the objection of Senator Hudson.

Fifth. Under Rule No. 30 of the Senate, the motion to reconsider should have lain over until the following day before action.

Having thus reported the facts, as they appeared to your committee, we beg leave to respectfully return Senator Hudson's resolution without recommendation.

Wiggs,
Chairman.

Senator Hudson offered the following motion:

MR. PRESIDENT:

I move that the report of the committee be accepted.

Which motion was carried.

Senator Hudson then offered the following motion:

MR. PRESIDENT:

I move that the action of the Senate in reconsidering the vote on Senate Bill No. 179 be rescinded.

The motion was declared out of order.

Senators Hudson, Howard, Hubbell and Ellison appealed to the Senate from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate?

Senator Howard offered the following motion:

MR. PRESIDENT:

I move that the motion of Senator Hobson to reconsider the vote of the Senate by which Senate Bill No. 179 was passed, together with all subsequent proceedings on said motion, be and they are hereby laid on the table.

The motion prevailed.

Senator Burke, chairman of Committee on Judiciary, made the following majority report on Senate Bill No. 334:

MR. PRESIDENT:

A majority of your committee, to whom was referred Senate Bill No. 334, introduced by Senator McHugh, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The following minority report was offered :

MR. PRESIDENT :

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 834, introduced by Senator McHugh, beg leave to submit a report on said bill, recommending that it do pass.

F. M. GRIFFITH,
Jno. F. McHUGH.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 801 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 801, introduced by Senator Yaryan, beg leave to report the same back, with the recommendation that the bill be indefinitely postponed.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 281 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 281, introduced by Senator Burke, beg leave to report the same back, with the recommendation that the bill do pass.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 154 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 154, introduced by Senator Ellison, beg leave to report the same back with the recommendation that it be referred to the Committee on County and Township Business.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 321 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 321, introduced by Senator Fulk, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 264 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 264, introduced by Senator Ewing, beg leave to report the same back with the recommendation that the bill do pass.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 278 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 278, introduced by Senator Moore, beg leave to report the same back with the recommendation that the bill do pass.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 271 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 271, introduced by Senator Kopelke, beg leave to report the same back with the recommendation that the bill do pass.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 303 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 303, introduced by Senator Shanks, beg leave to report the same back with the recommendation that it be referred to the Committee on Finance with instructions to incorporate the bill in an act concerning taxation.

Report of committee concurred in.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 213 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 213, introduced by Senator McGregor, beg leave to report the same back with the recommendation that the bill do pass.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 311:

MR. PRESIDENT:

Your committee on Judiciary, to whom was referred Senate Bill No. 311, introduced by Senator Hanley, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Report of committee concurred in.

Senator Burke, chairman of the Committee on Judiciary, made the following report on Senate Bill No. 214:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 214, introduced by Senator McHugh, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report of the committee was concurred in.

Senator Burke, chairman of the same committee, made the following report on Senate Bill No. 273:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 273, introduced by Senator McHugh, beg leave to report the same back with the recommendation that the bill do pass.

Senator Burke, chairman of same committee, made the following report on Senate Bill No. 215:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 215, introduced by Senator McHugh, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report of the committee was concurred in.

Senator Burke, chairman of the same committee, made the following report on Senate Bill No. 336:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 336, introduced by Senator Ewing, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report of the committee was concurred in.

Senator Burke, chairman of the same committee, made the following majority and minority report on Engrossed House Bill No. 309:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 309, introduced by Representative Johnson, of Carroll County, beg leave to report the same back with the recommendation that the bill be amended by adding to section 3 of said bill, the following: "Or if it shall be difficult, in the opinion of the court, for any cause, to procure the attendance of such judge, the court, in order to prevent delay, shall name three competent and reputable attorneys. The plaintiffs shall strike out the name of one, the defendants the name of one, and the person whose name remains shall be appointed judge in such cases: *Provided, however,* That if either party fail or refuse to strike off the name of any attorney selected, such judge may do so for him, and the appointment and oath shall be filed and entered of record," and when so amended the bill do pass.

S. A. HAYS,
O. Z. HUBBELL,
CORTEZ EWING,
J. KOPELKE,
F. M. GRIFFITH,
J. F. McHUGH.

MR. PRESIDENT:

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 309, introduced by Representative Johnson, of Carroll, beg leave to submit a report recommending that the bill be indefinitely postponed.

FRANK B. BURKE.

Senator Burke, chairman of the same committee, made the following report on Senate Bill No. 833 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 833, introduced by Senator Griffith, beg leave to report and submit herewith, in lieu of said bill, a substitute, with the recommendation that the substitute pass :

A bill for an act for the relief of Rhoda Carson, otherwise known as Rhoda Steele, and legitimizing her children, and declaring an emergency.

WHEREAS, On the 16th day of October, 1865, one Charles H. Carson inter-married with Rhoda Leap; and

WHEREAS, On or about the 1st of September, 1871, the said Carson deserted his wife, telling her that he was going to sea; and

WHEREAS, Some six weeks thereafter the mother of said Carson reported to his wife that he had been drowned; and

WHEREAS, On the 15th day of October, 1879, the said Rhoda Carson, believing her husband to be dead, in good faith, inter-married with one Annison W. Steele, and that, by virtue of said marriage, one child was born, to-wit: Annison W. Steele, Jr.; and

WHEREAS, It now appears that said Carson is still alive; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the inter-marriage of the said Rhoda Carson with the said Annison W. Steele is hereby declared legal and of full force and virtue, and that the child of said marriage, to-wit: Annison W. Steele, Jr., is declared to be legitimate.

SEC. 2. Whereas, an emergency exists for the immediate taking effect of this act, therefore the same shall be in full force from and after its passage.

The report of the committee was concurred in.

Senator Burke, chairman of the same committee, made the following majority and minority report on Senate Bill No. 323 :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to whom was referred Senate Bill No. 323, introduced by Senator Griffith, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

FRANK B. BURKE,
Chairman.

MR. PRESIDENT :

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 323, introduced by Senator Griffith, beg leave to report the same back to the Senate with the recommendation that the bill pass.

F. M. GRIFFITH,
JOHN F. McHUGH.

Senator Burke, chairman of the Committee on Judiciary, offered the following report on Senate Bill No. 335 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 335, introduced by Senator Ewing, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 230 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 230, introduced by Senator Boyd, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Senator Burke, chairman of the same committee, also offered the following report on Engrossed House Bill No. 67:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 67, introduced by Representative Brown, of Steuben County, beg leave to report the same back with the recommendation that the bill do pass.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 252:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 252, introduced by Senator McGregor, beg leave to report the same back with the recommendation that the bill be referred to the Committee on Finance.

The report was concurred in and the bill referred to the Committee on Finance.

Senator Burke, chairman of the same committee, also offered the following report on Engrossed House Bill No. 312:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 312, introduced by Representative Cullop, beg leave to report the same back with the recommendation that the bill be amended by inserting the words, "or attempted to be burned" after the word "burned," in line 7, on page 3, section 1; also, by inserting the words "or attempted to be destroyed" after the word "destroyed," in line 4, page 4, section 1, of said act; and when so amended the bill do pass.

The report was concurred in.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 247:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 247, introduced by Senator Hays, beg leave to report the same back recommending that the bill be amended by striking out all of the provisions thereof after the word "unpaid," in line 1, page 2, of section 1; and that when so amended it do pass.

Senator Burke, chairman of same committee, also offered the following report on Engrossed House Bill No. 22:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 22, introduced by Representative Kelly, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Senator Burke, chairman of the same committee, also offered the following report on Senate Resolution No. 8:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred the above Resolution No. 8, introduced by Senator Hubbell, report the same back with the recommendation that the prayer therein be granted, and that the mover of the resolution is hereby instructed to prepare such a bill as is prayed for therein.

The report was concurred in.

Senator Burke, chairman of Committee on Judiciary, made the following report on Engrossed House Bill No. 88:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 88, introduced by Representative Short, beg leave to report the same back with the recommendation that the bill pass.

FRANK B. BURKE,
Chairman.

The following majority report was presented on Senate Bill No. 36:

MR. PRESIDENT:

The undersigned, constituting a majority of your Committee on Judiciary, to whom was referred Senate Bill No. 36, introduced by Senator Magee, beg leave to report the same back, with the recommendation that the bill be indefinitely postponed.

JOHN F. McHUGH,
CORTEZ EWING,
J. KOPELKE,
S. A. HAYS.

The following minority report was presented on Senate Bill No. 86 :

MR. PRESIDENT :

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 86, introduced by Senator Magee, beg leave to report the same back, with the recommendation that the bill do pass.

F. M. GRIFFITH,
FRANK B. BURKE.

Senator Burke, chairman of Committee on Judiciary, presented the following report on Senate Bill No. 307 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 307, introduced by Senator McHugh, beg leave to report the same back, recommending that the bill pass.

FRANK B. BURKE,
Chairman.

Senator Burke, chairman of Committee on Judiciary, made the following majority report on Senate Bill No. 270 :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to whom was referred Senate Bill No. 270, introduced by Senator Howard, beg leave to report the same back, with the recommendation that the bill pass.

FRANK B. BURKE,
Chairman.

The following minority report was presented on Senate Bill No. 270 :

MR. PRESIDENT :

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 270, introduced by Senator Howard, beg leave to report the bill back, with the recommendation that it be indefinitely postponed.

J. KOPELKE.
S. A. HAYS.

Senator Burke, chairman of the same committee, also offered the following majority report on Senate Bill No. 148:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to whom was referred Senate Bill No. 148, introduced by Senator McHugh, beg leave to report the same back, with the recommendation that the bill be indefinitely postponed.

FRANK B. BURKE,
Chairman.

Senator Burke, chairman of the same committee, also offered the following minority report on Senate Bill No. 148:

MR. PRESIDENT:

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 148, introduced by Senator McHugh, beg leave to report the same back, recommending that it do pass.

JNO. F. McHUGH.
F. M. GRIFFITH.

The bill was ordered printed.

The special order for this hour being the consideration of Senate Bill No. 150.

The same was proceeded with.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Caster, Ellison, French, Fulk, Holcomb, Kennedy, Lynn, Moore, Mount, Shockney and Wiggs. Total, 11.

Those voting in the negative were:

Senators Akin, Boyd, Burke, Clemans, Ewing, Foley, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Holland, Howard, Jackson, Jones, Kerth, Loveland, McHugh, Magee, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 29.

So the bill failed to pass.

The special order for this hour (11 o'clock A. M.) being the consideration of Senate Bill No. 275, Senator Ewing moved that the same be postponed till to-morrow afternoon at 2 o'clock.

Senator Foley moved to lay Senator Ewing's motion on the table.

Which motion prevailed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 607, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senator Thompson, of Marion, presented the following memorial from citizens of Indianapolis:

Resolved, That we earnestly protest against the following amendments which have been made to the bill providing a new form of government for the city of Indianapolis, which is now pending in the General Assembly of this State.

First. The amendment of section 59, which requires that the appointments of members of the Board of Public Works by the Mayor shall be approved by the City Council. The principle underlying the appointive power is that the responsibility for all appointments shall be single and undivided. This amendment divides the responsibility for appointments between the Mayor and City Council, composed of twenty-one members, and enables the appointive power to shift all responsibility for bad appointments. It is certain to produce undignified and harmful wrangles between the Mayor and City Council where they are of opposite politics. It encourages dickers between the members of the Council in caucus and the Mayor, by which bad appointments will be made. It enables the Council to exercise an influence upon appointments by the Mayor, and gives the Legislative control over the Executive Department, which it was the express purpose of this charter to prevent.

Second. The amendment of section 60, by which the salary of the City Civil Engineer is reduced to \$1,800. This is an office requiring special education, technical knowledge and experience.

Such engineers command high salaries, and a civil engineer with the requisite ability and experience to conduct the business of this office in a city the size of Indianapolis, and entering upon large public improvements at this time, in our judgment, can not be obtained for a salary of less than twenty-five hundred dollars, and the salary should be increased rather than diminished. We protest against this amendment. In our opinion all salaries should be fixed by the charter.

Third. The amendment inserted between sections 57 and 58, by which the City Clerk may be appointed the first Comptroller of the city, and, when so appointed, shall receive the salary of City Clerk and deputy and Comptroller and deputy, which amount in the aggregate to \$7,500.

We earnestly request the members of the General Assembly from this county to use every effort in their power to defeat these amendments, and to secure the passage of the bill without further amendment, and we especially protest against any amendment which would restrict the executive powers of the Mayor, or would divide the responsibility for the exercise with the legislative department of the city government.

Resolved, That the Secretary of the Board of Trade and the Secretary of the Commercial Club be severally requested to communicate a copy of these resolutions to the General Assembly, through the Marion County delegation.

Referred to the Committee on the affairs of the City of Indianapolis.

On motion of Senator Burke, the regular and special orders were suspended, and the roll was called for the introduction of bills.

Senator Magee introduced Senate Bill No. 388, entitled:

A bill for an act authorizing the Governor, Auditor and Treasurer of State to make a loan for the purpose of carrying on the State Government; making provision for the payment

of any part of the bonded debt of the State heretofore created, and also making provision for the funding of the present outstanding temporary loan at a lower rate of interest, and concerning matters in connection therewith, and declaring an emergency.

Read first time and referred to Committee on Finance.

Senator Chandler introduced Senate Bill No. 339, entitled :

A bill for an act authorizing the Auditor of State to sell and convey certain lands located in Rush County, Indiana, purchased for the use of Fairview Academy, under an act entitled "an act to incorporate Fairview Academy in Rush County," approved February 16, 1848.

Read first time and referred to Committee on County and Township Business.

Senator Ellison introduced Senate Bill No. 340, entitled :

A bill for an act entitled an act to define the qualifications of County School Superintendent and City School Superintendents.

Read first time and referred to Committee on Education.

Senator Ewing introduced Senate Bill No. 341, entitled :

A bill for an act to create and define the Eighth and Eighteenth Judicial Circuits of the State of Indiana, and regulating other matters connected therewith, fixing the time and manner of holding the courts therein; providing for the appointment of a Judge in said Eighth Judicial Circuit; repealing all laws in conflict and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Ewing, chairman of Committee on World's Fair, introduced Senate Bill No. 342, entitled :

A bill for an act to provide for the appointment of commissioners; for the collection, arrangement and display of its resources and developments, by the State of Indiana at the World's Columbian Exposition of 1893, and making an appropriation therefor.

Read first time.

Senator Ewing, from the same committee, made the following report upon Senate Bill No. 342:

MR. PRESIDENT:

Your Committee on World's Fair would report that it has instructed its chairman to report a bill appropriating the sum of two hundred thousand dollars and making further provision therefor, and that in pursuance of said instruction it, through its chairman, would report the following bill, and that it do pass.

The bill was ordered passed to a second reading.

Senator French, by request, introduced Senate Bill No. 343, entitled:

A bill for an act prohibiting railroad companies or corporations from collecting overcharges on freight, and prescribing penalties.

Read first time and referred to Committee on Railroads.

Senator Fulk, by request, introduced Senate Bill No. 344, entitled:

A bill for an act to require railroad corporations, companies or persons operating railroads within the State of Indiana, to give notice at station whether passenger trains are on schedule time or not, and affixing a penalty for a violation of the provision thereof, and repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Railroads.

Senator Fulk, by request, introduced Senate Bill No. 345, entitled:

A bill for an act requiring railroad corporations and other persons operating and controlling railroads to record deeds of conveyance, leases, releases, or other contracts in relation to their rights of way, and prescribing remedies and penalties for failing to do so, repealing all laws in conflict, and declaring an emergency.

Read first time and referred to Committee on Railroads.

Senator Gilman introduced Senate Bill No. 346, entitled :

A bill for an act to give good time to life convicts in the State Prisons, and prescribing the manner of discharging the same.

Read first time and referred to Committee on Prisons.

Senator Gilman introduced Senate Bill No. 347, entitled :

A bill for an act to amend an act entitled, "An act to provide for a general system of common schools, the officers thereof, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March, 1865.

Read first time and referred to Committee on Education.

Senator Harlan introduced Senate Bill No. 348, entitled :

A bill for an act to amend section 5749 of the Revised Statutes of 1881, being an act of March 4, 1869, page 7, chapter 6, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Holcomb introduced Senate Bill No. 349, entitled :

A bill for an act in relation to the holding of certain terms of court in the Eleventh Judicial Circuit in the State of Indiana; defining the duties of the Judge of the Forty-ninth Judicial Circuit of the State of Indiana in relation thereto, and declaring an emergency.

The bill was read the first time

Senator Holcomb moved that the Constitutional Rule be suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the Constitutional Rule be suspended?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Caster, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Hanley, Harlan, Hayden, Hayes, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 40.

Seantor Kennedy voting in the negative.

So the Constitutional Rule was suspended, the bill read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Caster, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Grimes, Hanley, Hayden, Holcomb, Holland, Howard, Hubbell, Jackson, Jones, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

Those voting in the negative were :

Senators Clemans and Kennedy.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Lynn introduced Senate Bill No. 850, entitled :

A bill for an act in relation to the holding of certain terms of court in the Eleventh Judicial Circuit in the State of Indiana, defining the duties of the Judge of the Third Judicial Circuit of the State of Indiana in relation thereto, and declaring an emergency.

Read first time.

Senator Lynn moved to suspend the rules, and read the bill a second time by title, consider the bill engrossed, read a third by sections, and place upon its passage.

The question being on the suspension of the rules.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Hanley, Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

No Senator voting in the negative.

So the Constitutional Rules were suspended, the bill was read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Caster, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

Senator Kennedy voting in the negative.

So the bill passed.

To title to the bill was ordered to stand as the title to the act.

Senator Magee introduced Senate Bill No. 351, entitled :

A bill for an act amending section 6 of an act entitled "an act concerning powers and duties of cities and incorporated towns and their common councils and Boards of Trustees, and

providing the mode and manner of making street and alley improvements, and building sewers, and providing for the mode and manner of enforcing the payment of the cost of street and alley improvements and building sewers, and permitting cities or incorporated towns to issue street and sewer improvement bonds and repealing all conflicting laws, and declaring an emergency (approved March 8, 1889), and being section 817 of the Indiana Statutes." Elliott's supplement, 1889.

Read first time and referred to Committee on Cities and Towns.

Senator Morgan introduced Senate Bill No. 352, entitled :

A bill for an act concerning the real estate now owned by the State of Indiana, prohibiting the selling or otherwise disposal of the same, without permission from the General Assembly.

Read first time and referred to Committee on Agriculture.

Senator Thompson, of Pulaski, introduced Senate Bill No. 353, entitled :

A bill for an act to amend section one hundred and eighty-nine of an act entitled "an act concerning criminal procedure," approved September 19, 1881, the same being section 1764 of the Revised Statutes 1881.

Read first time and referred to Committee on Judiciary.

Senator Yaryan introduced Senate Bill No. 354, entitled :

A bill for an act to repeal section seven (7) of an act entitled "an act concerning cruelty to animals, providing penalties against persons who neglect or cruelly treat the same, conferring powers on the officers and members of societies organized for the purpose of preventing such acts of cruelty, and repealing all laws in conflict with this act," approved March 11, 1889.

Read first time and referred to Committee on Judiciary.

Senator Thompson of Pulaski, by request, introduced Senate Bill No. 355, entitled :

A bill for an act making an appropriation to pay William H. Drapier, for Brevier Legislative Reports of the Debate and Proceedings of the Fifty-first, Fifty-second and Fifty-third General Assemblies of the State of Indiana, and declaring an emergency.

Read first time and referred to Committee on Claims.

Senate Bill No. 314, together with the reports of the committee thereon, was read a second time.

Senator Kerth moved that the majority report be adopted.

Senator Shockney moved to amend Senator Kerth's motion by indefinitely postponing further action on the bill.

Senator Kopelke moved to reject the amendment of Senator Shockney.

The ayes and noes being demanded by Senators Shockney and Hanley.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Burke, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 31.

Those voting in the negative were :

Senators Boyd, Caster, Clemans, Gilman, Hanley, Hays, Loveland, Mount, Shockney and Yaryan. Total, 10.

So Senator Shockney's amendment was rejected.

The question recurring on Senator Kerth's motion to concur in the majority report of the committee.

Which motion carried, and the bill was ordered engrossed.

Senate Bill No. 216, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Ellison offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 216 by striking out the word "within" in line 28 of the printed bill, and inserting in lieu thereof the word "without."

The amendment was adopted and the bill ordered engrossed.

Senator Foley offered the following resolution:

WHEREAS, Two-thirds of this legislative session is now spent, and a great deal of important legislation is yet to be considered, therefore be it

Resolved, That on and after Wednesday, February 18, 1891, the consideration of any one subject before the Senate shall not occupy more than one hour, and no person shall speak longer than five minutes at a time, nor more than once on any one subject, except the author, who may occupy twenty minutes, a part of which time he may give to any member if he choose.

On motion of Senator Burke, the resolution was referred to the Committee on Rules.

Senator Griffith, chairman of Joint Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Act No. 30, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

Lieutenant-Governor Chase announced that he had signed Enrolled Senate Act No. 30.

Senator Griffith, chairman of Joint Committee on Enrolled Bills, also made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report that after Enrolled Senate Act No. 30 was signed by the presiding officers of both Houses, they delivered said act to the Governor for his approval.

F. M. GRIFFITH,
Chairman.

The special order for this hour, 11:30 A. M., being the consideration of Senator Boyd's resolution to reconsider the vote on Senator Hays' amendment to Senate Bill No. 6.

The same was proceeded with.

On motion of Senator Burke, the Senate adjourned

WEDNESDAY AFTERNOON.

FEBRUARY 18, 1891.

The Senate convened at 2 P. M.

Senator Ellison made the following motion :

MR. PRESIDENT :

I move to reconsider the motion concurring in the report of the Judiciary Committee for indefinite postponement of Engrossed House Bill No. 22.

The motion was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 63, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 848, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 329, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 45, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 10, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 481, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 188, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Pending the discussion on Senator Boyd's motion to reconsider the vote on Senator Hays' amendment to Senate Bill No. 6.

Senator Hays moved to lay the motion to reconsider on the table.

The ayes and noes being demanded by Senators Hays and Harlan.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Ellison, Foley, Fulk, Gilman, Harlan, Hays, Holland, Jones, Kennedy, Kopelke, Lynn, Morgan, Moore, Shanks, Shockney, Thompson of Pulaski, Wiggs and Yaryan.
Total, 19.

Those voting in the negative were :

Senators Boyd, Burke, Caster, Francis, French, Griffith, Grimes, Hanley, Hayden, Holcomb, Howard, Hubbell, Hudson, Jackson, Kerth, Loveland, McHugh, Magee, Mount, Smith, Sweeney, Thompson of Marion and Thompson of Huntington.
Total 23.

So the motion to lay on the table was lost.

The question recurring on Senator Boyd's motion to reconsider, the same carried.

On motion of Senator Griffith, the further consideration of Senate Bill No. 6 was made the special order for to-morrow afternoon at 2 o'clock.

Senator Howard offered the following resolution :

Resolved, That Mrs. Helen Gougar be invited to address the Senate upon laws affecting the status of women in the State, and that to-morrow morning at fifteen minutes after 11 o'clock be fixed as the time for such address.

The resolution was adopted.

Engrossed Senate Bill No. 296 was read a third time.

Senator Hanley offered the following motion :

MR. PRESIDENT:

I move to refer Senate Bill No. 296 to a special committee of one, with instructions to amend the same by adding to section 1 the words: "And said Wardens and Deputy Wardens shall not receive in any way whatever, by way of perquisites or otherwise, any compensation other than by this act provided."

The motion prevailed.

Senator Hanley was appointed as such committee.

Senator Hanley, as a special committee of one, made the following report :

MR. PRESIDENT:

Your special committee, to whom was referred Senate Bill No. 296, beg leave to report that he has amended the same as directed.

The report was adopted.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Foley, Francis, French, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kerth, Kopelke, McHugh, Magee, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski. Total, 83.

Those voting in the negative were :

Senators Fulk, Kennedy, Loveland, Lynn, Morgan, Moon, Wiggs, Total, 7.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 186 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Loveland, Magee, Morgan, Moore, Shockney, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 32.

Those voting in the negative were :

Senators Holland and Kopelke. Total, 2.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 180 was read a third time.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Caster, Clemans, Ellison, Foley, Francis, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Howard, Hubbell, Hudson, Jackson, Kennedy, Kerth, Kopelke, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 33.

Those voting in the negative were :

Senators Burke and Holland.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed Senate Bill No. 176 was read a third time.

Senator Shockney offered the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 176 to a committee of one to amend the title of said bill by adding the words: "And adding a supplemental section thereto after the word "and" in the last line of the title, and that said bill be amended by striking out the words, "such sale to be made without giving notice thereof," after the word "order," in line 8 of section 1, and that there be inserted in lieu thereof the words, "said real estate to be sold at private sale without notice."

The motion prevailed.

Senator Shockney was appointed as such committee.

Senator Shockney, as the special committee, made the following report :

MR. PRESIDENT :

Your special committee begs leave to report that he has amended Senate Bill No. 176, as directed.

The report of the committee was concurred in.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Grimes, Hanley, Harlan, Hayden, Hays, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Wiggs and Yaryan. Total, 39.

No Senator voting in the negative.

So the bill passed.

Referred to Committee on Phraseology, to examine title.

Engrossed Senate Bill No. 206 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators, Akin, Caster, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Hanley, Harlan, Hayden, Holland, Hubbell, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 33.

Those voting in the negative were:

Senators Grimes, Holcomb, Howard, and McHugh. Total, 4.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed Senate Bill No. 284 was read a third time.

Senator Loveland offered the following motion:

MR. PRESIDENT:

I move that Senate Bill No. 284 be referred to a special committee of one with instructions to amend section one by adding the following clause: "Which fees shall be by the Auditor paid into the general fund of the State."

Senator Shockney moved to amend Senator Loveland's motion by inserting \$2 instead of \$5.

Which amendment was adopted.

The motion as amended was then adopted, and Senator Loveland was appointed as such committee.

Senator Loveland, as special committee of one, made the following report:

MR. PRESIDENT:

Your special committee of one, to whom was referred Senate Bill No. 284, respectfully report that the said bill has been amended as directed.

Report of committee concurred in.

Senator Hays made the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 284 to a special committee of one to amend by striking out section five.

Senator Francis moved to reject the amendment of Senator Hays.

Which motion did not prevail.

The question recurring upon Senator Hays' motion.

The same was adopted, and Senator Hays appointed as the special committee of one.

Senator Hays, as the special committee, offered the following report :

MR. PRESIDENT :

Your special committee of one, to whom was referred Senate Bill No. 284 for amendment, beg leave to report that such amendment, as directed, has been made.

The report of the committee was concurred in.

Senator Shockney offered the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 284 be referred to a special committee of one, with instructions to amend section three as follows: By adding after the word "State" in line one of said section, the words "on demand, in writing, of ten members of the association," and by striking out all of the words of said section after the word "same," in line four, down to and including the word "society," in line seven, and by striking out the word "five," in line twelve, and by inserting in lieu thereof the word "three."

Which motion was adopted, and Senator Shockney appointed as such special committee.

Senator Shockney, as the committee of one, offered the following report :

MR. PRESIDENT :

Your special committee of one, to whom was referred Senate Bill No. 284, for amendment, beg leave to report that such amendment, as directed, has been made.

The report was concurred in.

Senator Howard offered the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 284 to a special committee, to strike out the word "now," in line 3, section 7.

The motion prevailed, and Senator Howard was appointed as the committee :

Senator Howard, as the special committee, made the following report :

MR. PRESIDENT :

Your committee reports that section 7 of Senate Bill No. 284 has been amended as directed.

The report of the committee was concurred in.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Caster, Clemans, Ellison, Foley, Francis, Griffith, Grimes, Hanley, Hayden, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Kopelke, Loveland, McHugh, Magee, Sweeney, Thompson of Marion, Thompson of Pulaski and Yaryan.
Total, 23.

Those voting in the negative were :

Senators Akin, Boyd, French, Fulk, Gilman, Hays, Holcomb, Holland, Kennedy, Morgan, Moore, Mount, Shanks, Shockney, Smith and Wiggs. Total, 16.

The bill failed to pass for want of a constitutional majority.

Engrossed House Bill No. 226, together with the report of the committee thereon, was read a second time, and report of the committee concurred in.

Senator Fulk then moved to suspend the Constitutional Rule, to read the bill a third time by sections, and to put it upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Caster, Ellison, Foley, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelké, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 38.

No Senator voting in the negative.

So the Constitutional Rule was suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Caster, Clemans, Ellison, French, Fulk, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Holcomb, Holland, Howard, Hubbell, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Magee, Morgan, Mount, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 38.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 1 was read a third time.

Senator Howard offered the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 1 to a special committee of one to amend as follows: After "county roads," in the third clause, insert "streets, sidewalks and alleys."

The motion prevailed, and Senator Howard was appointed as such committee.

Senator Howard, as special committee of one, made the following report:

MR. PRESIDENT:

Your special committee reports that the amendment has been made as ordered.

Report of committee concurred in.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Caster, Clemans, Ellison, Francis, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Magee, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total 38.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

On motion of Senator Hayden, the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

THURSDAY MORNING.

FEBRUARY 19, 1891.

The Senate convened at 9 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Senator Gilman.

After the reading of a portion of the Journal, on motion of Senator Hudson the further reading of the same was dispensed with.

Senator Howard offered the following motion :

MR. PRESIDENT :

I move that the Journal be corrected by striking out so much of the motion of the Senator from St. Joseph as relates to the motion of the Senator from Parke to reconsider Senate Bill No. 179, and that said written motion be withdrawn for such correction.

The motion was adopted.

Senator Hubbell moved to reconsider the action of the Senate on the report of the Judiciary Committee on Senate Bill No. 311.

The motion prevailed.

Senators Jackson and Hays were granted leaves of absence.

Senator Thompson, of Pulaski, Chairman of the Committee on Public Health, Vital and Other Statistics, offered the following majority report on Senate Bill No. 266 :

MR. PRESIDENT :

Your Committee on Public Health, Vital and Other Statistics, to whom was referred Senate Bill No. 266, introduced by Senator Griffith, have had the said bill under consideration,

and we, the undersigned majority members of your committee, have the honor to report same back, with the recommendation that it do pass.

W. H. THOMPSON, Chairman,
H. J. WIGGS,
HENRY T. HUDSON,
W. C. THOMPSON.

Senator Thompson, of Pulaski, as Chairman of the same committee, also offered the following minority report:

MR. PRESIDENT:

The undersigned members, a minority of your Committee on Public Health, Vital and Other Statistics, to whom was referred Senate Bill No. 266, recommend that the same be indefinitely postponed.

J. D. MORGAN,
WM. W. GILMAN,
JOHN YARYAN.

Senator Magee, Chairman of Committee on Finance, made the following report on Senate Bill No. 195:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 195, introduced by Senator Hudson, after said bill had been considered by the Committee on Claims, would beg leave to unanimously report that they have had said bill under consideration, that they recommend that the same be amended by striking out the words "\$14,113.00," and inserting in the place thereof the words "five thousand and seven hundred dollars," and when so amended they unanimously recommend the bill do pass.

Senator Magee, Chairman of Committee on Finance, also made the following report on Senate Bill No. 204:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred Senate Bill No. 204, for the improvement of Mississippi street, Indianapolis, have investigated the claim for the work done and concur with the recommendation of the Committee on Claims that the bill do pass.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 558, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 77, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 498, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 332, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 336, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 24, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 253, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 84, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 142, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has refused to pass Senate Bill No. 152, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senator Kerth, chairman of the Committee on Cities and Towns, offered the following report on Senate Bill No. 308 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 308, introduced by Senator Foley, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Senator Kerth, chairman of the same committee, also offered the following report on Senate Bill No. 306 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 306, introduced by Senator Fulk, report the same back with the following amendments, to-wit :

Amend section 2 by adding the following after the word "same," in line six, "and requiring the clerks to correct said reports."

Your committee further recommends that in section 4, line 2, that the following be added after the word "act." "Shall be guilty of a misdemeanor and upon conviction." And when so amended that the bill do pass.

Senator Kerth, chairman of the same committee, also offered the following report on Senate Bill No. 315 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 315, introduced by Senator Magee, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Senator Kerth, chairman of the same committee, also offered the following report on Engrossed House Bill No. 552 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 552, introduced by Representative Callicutt, beg leave to report the same back with the recommendation that the bill do pass.

Senator Kerth, chairman of the same committee, also offered the following report on Senate Bill No. 332 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 332, introduced by Senator Hudson, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The bill was ordered printed.

Senator Hudson, chairman of Committee on Labor, presented the following report on Senate Bill No. 279 :

MR. PRESIDENT :

Your Committee on Labor, to whom was referred Senate Bill No. 279, introduced by Senator Shockney, beg leave to report that they have considered said bill, and recommend that the same do pass.

H. T. HUDSON,
Chairman.
J. D. MORGAN,
O. Z. HUBBELL,
G. H. THOMPSON,
DANIEL FOLEY.

The report of the committee was concurred in.

Senator Shockney moved that the Constitutional Rule be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Caster, Clemons, Ellison, Foley, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 35.

So the constitutional rule was suspended, the bill read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Caster, Clemans, Ellison, Foley, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Total, 85.

No senator voting in the negative.

So the bill passed.

The title to the bill ordered to stand as the title to the act.

Engrossed House Bill No. 607, entitled:

A bill for an act to legalize the incorporation of the town of Greenville, Floyd County, Indiana, the election and qualification of its several Boards of Trustees and other officers, and all acts, orders, ordinances, resolutions, by-laws, minutes, and proceedings of the Boards of Trustees of said town, and other matters connected therewith, and declaring an emergency.

Read first time.

Senator Burke moved that the Constitutional Rule be suspended, the bill be read a second time by title and a third time by sections and placed upon its passage.

The question being upon the suspension of the Constitutional Rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Foley, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kerth, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 85.

No Senator voting in the negative.

So the Constitutional Rule was suspended.

The bill was read a second time by title, a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman Griffith, Grimes, Hanley, Harlan, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 38.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Magee, Chairman of the Committee on Finance, offered the following report on Senate Bill No. 338:

MR. PRESIDENT:

The Committee on Finance have the honor to report back Senate Bill No. 338, introduced by Senator Magee, recommending it do pass.

The report was concurred in.

Senator Magee moved that the Constitutional Rule be suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the Constitutional Rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Hanley, Harlan, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kennedy,

Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 38.

No Senator voting in the negative.

So the Constitutional Rule was suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

Senator Loveland offered the following motion :

MR. PRESIDENT:

I move that Senate Bill No. 338 be made a special order for Friday morning at 10 o'clock, and that the bill be printed.

Which motion did not prevail.

The question recurring on the passage of Senate Bill No 338.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Caster, Clemons, Ellison, Ewing, French, Fulk, Gilman, Griffith, Grimes, Harlan, Hayden, Holcomb, Holland, Howard, Hubbell, Hudson, Jones, Kennedy, Kerth, Kopelke, Lynn, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

Those voting in the negative were :

Senators Hanley and Loveland.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Grimes, Chairman of the Committee on Education, made the following report :

MR. PRESIDENT :

Your committee, to whom was referred Senate Bill No. 340, introduced by Senator Ellison, report that they have had the bill under consideration, and report the same back with the recommendation that the bill do pass.

Senator Grimes, Chairman of Committee on Education, also made the following report on Senate Bill No. 171 :

MR. PRESIDENT :

Your Committee on Education, to whom was referred Senate Bill No. 171, introduced by Senator Morgan, have had said bill under consideration, and beg leave to report the same back, with the recommendation that it do pass.

On motion of Senator Ewing, Senate Bill No. 341 was recalled from the Committee on Judiciary and referred to the Committee on Organization of Courts.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 252, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK, .
Clerk.

Senator Hubbell presented the following memorial :

MUNICIPAL SUFFRAGE PETITION.

To the Honorable Senate and House of Representatives of Indiana :

We, the undersigned citizens of Indiana, county of Elkhart, town of Elkhart, respectfully petition your honorable body to enact a law granting to women municipal suffrage.

Signed by C. G. Conn, W. A. Thompkins and others.

Read and referred to Committee on Woman's Claims.

Senator Wiggs presented the following petition and memorial :

MUNICIPAL SUFFRAGE PETITION.

To the Honorable Senate and House of Representatives of Indiana :

We, the undersigned citizens of Indiana, county of Knox, town of Decker, respectfully petition your honorable body to enact a law granting to women municipal suffrage.

Signed by John H. Smith, Mrs. Dr. Davis and others.

Read and referred to Committee on Woman's Claims.

Senator Thompson, of Pulaski, presented the following petition :

MUNICIPAL SUFFRAGE PETITION.

To the Honorable Senate and House of Representatives of Indiana :

We, the undersigned, citizens of Indiana, county of White, town of Monticello, respectfully petition your honorable body to enact a law granting to women municipal suffrage.

Signed by Wm. B. Cooper, Mary L. Cooper and others.

Read and referred to the Committee on Woman's Claims.

Senator Harlan offered the following memorial :

MUNICIPAL SUFFRAGE PETITION.

To the Honorable Senate and House of Representatives of Indiana :

We, the undersigned, citizens of Indiana, county of Grant, town of Fairmount, respectfully petition your honorable body to enact a law granting to women municipal suffrage.

Signed Elwood Haisley and forty others.

Referred to Committee on Woman's Claims.

Senator Yaryan offered the following memorial :

MUNICIPAL SUFFRAGE PETITION.

To the Honorable Senate and House of Representatives of Indiana :

We, the undersigned citizens of Indiana, county of Wayne, town of Richmond, respectfully petition your honorable body to enact a law granting to women municipal suffrage.

(Signed.) M. H. Hayes, M. D., and others.

Referred to Committee on Woman's Claims.

Senator Shanks offered the following petition :

MUNICIPAL SUFFRAGE PETITION.

To the Honorable Senate and House of Representatives of Indiana :

We, the undersigned, citizens of Indiana, county of Washington, town of Salem, respectfully petition your honorable body to enact a law granting to women municipal suffrage.

(Signed.) Judge Samuel B. Voyles and fifty others.

Referred to Committee on Woman's Claims.

On motion of Senator Boyd, the further consideration of Senate Bill No. 204 was indefinitely postponed.

Senator Fulk moved that the regular order of business be suspended and that the House bills on the President's desk be read a first time and referred to their proper committees.

The motion failed to prevail.

Engrossed Senate Bill No. 180 was read a third time.

Senator Mount offered the following motion:

MR. PRESIDENT:

I move to refer Senate Bill No. 180 to a special committee with instruction to amend by striking out in section 1, lines 5, 6 and 7.

Senator Morgan offered the following amendment:

MR. PRESIDENT:

I move as an amendment to the amendment offered by Senator Mount to Senate Bill No. 180, by striking out all after the enacting clause and insert the following:

That any person who shall buy, sell, give away, or exchange for anything of value or handle as an article of commerce, any quail or pheasant, at any time, shall be guilty of a misdemeanor; and upon conviction thereof, shall be fined in the sum of one dollar for each quail or pheasant so bought, sold, given away, or exchanged for anything of value, or handled as an article of commerce.

Section 2. Whereas, an emergency existing for the immediate taking effect of this act, the same shall be in force from and after its passage.

Senator Burke moved to reject the amendment to the amendment.

Which motion prevailed.

Senator Ewing moved to lay the amendment on the table.

The motion was lost.

Senator Harlan offered the following amendment:

MR. PRESIDENT:

I move to amend the amendment offered by the Senator from Montgomery, by striking out in section 1 the proviso.

The amendment was adopted.

The question recurring upon the amendment of Senator Mount, the same was adopted.

Senator Mount was appointed as special committee to amend the bill.

Senator Mount as the special committee to amend Senate Bill No. 130, made the following report:

MR. PRESIDENT:

Your special committee of one, to whom was referred Senate Bill No. 130, respectfully report the bill amended as directed.

The report of the committee was concurred in.

Senator Howard moved that Senate Bill No. 130, together with all its amendments, be indefinitely postponed.

The ayes and noes being demanded by Senators Harlan and Mount.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senator Ewing, Fulk, Griffith, Grimes, Howard, Jones, Loveland, Shockney, Sweeney, Thompson of Huntington, Wiggs, Yaryan. Total, 12.

Those voting in the negative were:

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Foley, French, Gilman, Hanley, Harlan, Hayden, Holcomb, Holland, Hudson, Kennedy, Kerth, Kopelke, Lynn, Magee, Morgan, Moore, Mount, Shanks, Smith, Thompson of Marion. Total, 26.

The motion was lost.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Boyd, Caster, Clemans, Foley, French, Gilman, Hanley, Harlan, Holcomb, Kennedy, Kopelke, Loveland, Lynn, McHugh, Morgan, Moore, Mount, Shanks. Total, 18.

Those voting in the negative were :

Senators Burke, Byrd, Ellison, Ewing, Fulk, Grimes, Hayden, Howard, Hudson, Jones, Kerth, Magee, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs, Yaryan. Total, 18.

So the bill failed to pass.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, offered the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Acts Nos. 127, 48, 329, 63 and 73, have carefully examined the same, and find the same correctly enrolled.

Lieutenant-Governor Chase announced that he had signed Senate Acts Nos. 127, 48, 329, 63 and 73.

Senator Magee, chairman of the Committee on Finance, offered the following report on Engrossed House Bill No. 386 :

MR. PRESIDENT :

The Committee on Finance, to whom was referred House Bill No. 386, introduced by Representative Curtis, have had the same under consideration, and concur in the recommendation of the Senate Committee on Claims.

The report was concurred in.

Senator Boyd moved that the Constitutional Rule be suspended, Engrossed House Bill No. 386 be read a second time by title, read a third time by sections, and put upon its passage.

The question being, Shall the Constitutional Rule be suspended ?

The roll was called, which resulted as follows :

Senator Harlan offered the following amendment:

MR. PRESIDENT:

I move to amend the amendment offered by the Senator from Montgomery, by striking out in section 1 the proviso.

The amendment was adopted.

The question recurring upon the amendment of Senator Mount, the same was adopted.

Senator Mount was appointed as special committee to amend the bill.

Senator Mount as the special committee to amend Senate Bill No. 130, made the following report:

MR. PRESIDENT:

Your special committee of one, to whom was referred Senate Bill No. 130, respectfully report the bill amended as directed.

The report of the committee was concurred in.

Senator Howard moved that Senate Bill No. 130, together with all its amendments, be indefinitely postponed.

The ayes and noes being demanded by Senators Harlan and Mount.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senator Ewing, Fulk, Griffith, Grimes, Howard, Jones, Loveland, Shockney, Sweeney, Thompson of Huntington, Wiggs, Yaryan. Total, 12.

Those voting in the negative were:

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Foley, French, Gilman, Hanley, Harlan, Hayden, Holcomb, Holland, Hudson, Kennedy, Kerth, Kopelke, Lynn, Magee, Morgan, Moore, Mount, Shanks, Smith, Thompson of Marion. Total, 26.

The motion was lost.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Boyd, Caster, Clemans, Foley, French, Gilman, Hanley, Harlan, Holcomb, Kennedy, Kopelke, Loveland, Lynn, McHugh, Morgan, Moore, Mount, Shanks. Total, 18.

Those voting in the negative were :

Senators Burke, Byrd, Ellison, Ewing, Fulk, Grimes, Hayden, Howard, Hudson, Jones, Kerth, Magee, Shockney, Sweetney, Thompson of Marion, Thompson of Huntington, Wiggs, Yaryan. Total, 18.

So the bill failed to pass.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, offered the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Acts Nos. 127, 48, 329, 63 and 73, have carefully examined the same, and find the same correctly enrolled.

Lieutenant-Governor Chase announced that he had signed Senate Acts Nos. 127, 48, 329, 63 and 73.

Senator Magee, chairman of the Committee on Finance, offered the following report on Engrossed House Bill No. 386 :

MR. PRESIDENT :

The Committee on Finance, to whom was referred House Bill No. 386, introduced by Representative Curtis, have had the same under consideration, and concur in the recommendation of the Senate Committee on Claims.

The report was concurred in.

Senator Boyd moved that the Constitutional Rule be suspended, Engrossed House Bill No. 386 be read a second time by title, read a third time by sections, and put upon its passage.

The question being, Shall the Constitutional Rule be suspended ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Ewing, Foley, Fulk, Griffith, Grimes, Hanley, Harlan, Holcomb, Holland, Howard, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 34.

No Senator voting in the negative.

So the Constitutional Rule was suspended, the bill read a second time by title, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Ewing, Foley, Fulk, Gilman, Griffith, Grimes, Hanley, Holcomb, Holland, Howard, Hubbell, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 37.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, IND., Feb. 19, 1891. }

Hon. Ira J. Chase, President of the Senate:

SIR—I return without my approval Senate Bill No. 30, entitled :

“An act to establish a State Board of Health, defining its powers and duties, providing a system of registration, and report of vital and sanitary statistics in connection therewith, and prescribing the duties of certain officers in relation thereto ;

providing for Town, City and County Boards of Health, prescribing penalties for the violation of the provisions thereof, fixing an appropriation for the expenses of the same, repealing acts in conflict therewith, and declaring an emergency."

This bill is substantially the same as the law on our statutes, with the exception that it seeks to deprive the Governor of appointing the officers of the Board of Health, conferring such appointments upon the majority of the State officers named in the bill. The first section of this bill is clearly unconstitutional. The members of the State Board of Health, being State officers, should be appointed by the Governor or elected by the people. The power of the Executive to appoint the State officers is constitutional, and can not be changed nor modified by legislation. When that power is called into action, it must of necessity be untrammelled, or that provision of our organic law would be nugatory. To pass a law giving the Governor, Secretary of State and Auditor the right to appoint persons to fill State offices, would virtually annul the constitutional provision and clothe such State officers with executive powers. A majority of such officers could overrule the Governor, and his constitutional right of appointment would in such cases cease to exist.

The late decisions of our Supreme Court have so fully decided this question that I deem argument unnecessary. I shall not degrade the Executive Department by permitting any other officer or officers of State to exercise the power of appointing any person to a State office where it has not been fully and clearly sanctioned by the decisions of the Supreme Court. I will not consent to change the plain meaning of our Constitution by permitting the Legislature to usurp the functions of any other Department of State.

ALVIN P. HOVEY,
Governor.

Senator Griffith made the following motion in writing :

MR. PRESIDENT :

I move that the message of the Governor vetoing Senate Bill No. 30 be received, and his objection to said bill be entered at large upon the Journal of the Senate, and that the Senate do now proceed to reconsider said Senate Bill No. 30, and that

the said bill do pass, notwithstanding the objections of the Governor, and upon which motion I demand the previous question.

The demand for the previous question was seconded by the Senate.

The question being, Shall the main question be now put?

The same prevailed.

The question being, Shall the bill pass, notwithstanding the Governor's objections?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Ellison, Ewing, Foley, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 29.

Those voting in the negative were:

Senators Boyd, Caster, Clemans, Gilman, Grose, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 10.

So the bill passed, notwithstanding the objections of the Governor.

The Secretary was ordered to notify the House of Representatives.

The hour of 11:15 A. M., having arrived, and this hour having been set apart for Mrs. Helen M. Gougar, President Chase introduced Mrs. Gougar, who delivered an eloquent and earnest address on prohibition, municipal suffrage, and other social and political reforms, making a strong appeal to the Senate for the enactment of laws on these subjects.

At the close of the discourse Senator Magee offered the following resolution:

MR. PRESIDENT:

Resolved, That the thanks of the Senate be and are hereby extended to Mrs. Gougar for her instructive address.

The resolution was unanimously adopted.

Senator Morgan moved that when the Senate adjourn it be till half past 2 o'clock this afternoon.

Which motion prevailed.

On motion of Senator Jones the Senate adjourned.

THURSDAY AFTERNOON.

FEBRUARY 19, 1891.

Pursuant to adjournment, the Senate convened at 2:30 o'clock P. M., Lieutenant-Governor Chase in the chair.

Senator Hays moved that the further consideration of Senate Bill No. 6, together with the amendments, be indefinitely postponed.

The ayes and noes being demanded by Senators Hays and Harlan.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Carver, Chandler, Ellison, Foley, French, Fulk, Gilman, Grimes, Grose, Harlan, Hayden, Hays, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kerth, Lynn, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total 29.

Those voting in the negative were:

Senators Boyd, Burke, Caster, Clemans, Ewing, Francis, Griffith, Hanley, Hobson, Hubbell, Kopelke, Loveland, McHugh, Magee, Mount, Smith. Total, 16.

So the motion for the indefinite postponement of Senate Bill No. 6 carried.

Senator Hays moved to reconsider the vote on the motion to indefinitely postpone and to lay that motion on the table.

The motion prevailed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 74 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Hill No. 486, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 519, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 570, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

Senator Boyd offered the following resolution :

WHEREAS, Mrs. Helen Gougar has done valiant service for the Democratic party during the last six or eight years, thus placing them under obligations to her for labor performed ; and,

WHEREAS, The democratic party are the champions of a free and universal ballot, and in favor of the absolute prohibition of the liquor traffic in Indiana; therefore, be it

Resolved, That the President appoint a committee of five, all Democrats, to draft resolutions and bills covering all of the recommendations made in Mrs. Gougar's elegant address, and place them upon their passage at once, to the end that we may have statutory women suffrage in all the municipalities of Indiana, and absolute prohibition of the liquor traffic in this State.

Senator Magee offered the following motion:

MR. PRESIDENT:

I move to amend the resolutions of the Senator from Hamilton by striking out from said resolution, wherever it occurs, the words "Democrat" and "Democratic" and insert the word "Republican."

Mr. Hubbell moved to reject the entire matter.

Which motion prevailed.

Engrossed Senate Bill No. 246 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ewing, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 44.

No Senator voting in negative.

So the bill passed.

The title to the bill ordered to stand as the title to the act.

Engrossed Senate Bill No. 287, was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Carver, Caster, Chandler, Clemans, Ellison, Ewing, French, Fulk, Gilman, Griffith, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 43.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Griffith, Chairman of the Joint Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Acts numbered 77, 84 and 142, have carefully examined the same, and find the same correctly enrolled.

The Lieutenant-Governor announced that he had signed Enrolled Senate Acts Nos. 77, 84 and 142.

Engrossed Senate Bill No. 92 was read a third time.

The question being, Shall the bill pass?

The roll was called which resulted as follows:

Those voting in the affirmative were:

Senators Akins, Burke, Byrd, Carver, Caster, Clemans, Ellison, Ewing, Francis, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard,

Hubbell, Hudson, Jones, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggins and Yaryan. Total, 41.

· No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 212 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ewing, Foley, Francis, French, Fulk, Gilman, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Hudson, Jones, Kopelke, Lynn, Magee, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 33.

Those voting in the negative were:

Senators Burke, Ellison, Grimes, Kennedy, Loveland, Moore, Shockney. Total, 7.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Magee offered the following resolution:

MR. PRESIDENT:

WHEREAS, We have now on the floor of the Senate a distinguished statesman and journalist, a resident of our sister State of Kentucky; therefore be it

Resolved, That the courtesies of the floor be extended to Hon. H. W. Watterson.

The resolution was adopted.

On motion of Senator Shockney the Senate took a recess of five minutes to give the Senators an opportunity to be presented to the Hon. Henry Watterson.

After President Chase had introduced the Senators to the distinguished visitor, Mr. Watterson expressed his thanks and appreciation of the honor conferred upon him in a neat little speech.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 80, notwithstanding the objections of the Governor thereto, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 95, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Engrossed Senate Bill No. 203, was read a third time.

Senator Hayden offered the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 203 be referred to a committee of one to make the following amendments to said bill: In line one, section seven, after the words "*passer domesticus*," insert "crows, hawks, and other birds of prey are not included among the birds protected by this act."

Which motion prevailed, and Senator Hayden was appointed as such committee.

Senator Hayden, as the special committee of one, offered the following report :

MR. PRESIDENT :

Your special committee to whom was referred Senate Bill No. 203, beg leave to report that he has amended said bill as directed.

The report was concurred in.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Francis, French, Fulk, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, Wiggs and Yaryan. Total, 40.

No Senators voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed Senate Bill No. 314 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Byrd, Chandler, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 28.

Those voting in the negative were :

Senators Akin, Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Hays, Hobson, Loveland, Mount, Shockney and Yaryan. Total, 14.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 288 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 38.

Senator Hays voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed Senate Bill No. 95 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hubbell, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 37.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Byrd moved that the regular order of business be suspended and Engrossed House Bill No. 260 be read a third time and put upon its passage.

The ayes and noes being demanded by Senators Shockney and Byrd.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Burke, Byrd, Chandler, Ellison, Ewing, Foley Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski and Wiggs. Total, 31.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 15.

So the order of business was suspended, and the bill read a third time.

Senator Ewing offered the following motion :

MR. PRESIDENT :

I move to refer House Bill No. 309 to a special committee of one, with instructions to amend the same by striking out the words "State Geologist" wherever they occur therein, and inserting in lieu thereof the words "Governor, Secretary, Auditor and Treasurer of State."

Senator Byrd moved to reject the motion.

The motion was rejected.

The question being, Shall the bill pass?

The roll was called which resulted as follows :

Those voting in the affirmative were:

Senators Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wiggs. Total, 30.

Those voting in the negative were:

Senators Boyd, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Loveland, Mount, Shockney and Yaryan. Total, 13.

So the bill passed.

The title of the bill was adopted as the title to the act.

Engrossed Senate Bill No. 275 was read a third time.

Senator Burke moved to indefinitely postpone further action on the bill.

The ayes and noes being demanded.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Burke, Byrd, Chandler, Ewing, Foley, Francis, French, Griffith, Grimes, Hayden, Holcomb, Hudson, Jones, Kerth, Lynn, McHugh, Morgan, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski and Wiggs. Total, 23.

Those voting in the negative were:

Senators Akin, Boyd, Carver, Caster, Clemans, Ellison, Fulk, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Holland, Howard, Hubbell, Kennedy, Kopelke, Loveland, Magee, Moore, Mount, Shockney, Smith and Yaryan. Total, 25.

So the motion did not prevail.

The question being, Shall the bill pass?

The roll was called which resulted as follows:

Those voting in the affirmative were :

Senators Akin, Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Holland, Howard, Hubbell, Kennedy, Kopelke, Loveland, Magee, Mount, Shockney, Smith and Yaryan. Total, 22.

Those voting in the negative were :

Senators Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Hudson, Jones, Kerth, Lynn, McHugh, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 26.

So the bill failed to pass.

Senator Thompson, of Huntington, introduced Senate Bill No. 356, entitled :

A bill for an act providing for the vacation of graveyards, burying-grounds or cemeteries, when any part is located within the limits of any city or town and owned by a Masonic, Odd Fellows or other benevolent societies.

Read first time and referred to Committee on Judiciary.

Senator Kennedy introduced Senate Bill No. 357, entitled :

A bill for an act to amend section five (5) of an act entitled, "An act to amend sections 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 14, 18, 20, 23, 26, 27, 30, 33, 34, 36, 42, 51, 54, 58, 67, 73, 74, 85, 86, 95, 97 and 98, and to repeal sections 13, 16, 19, 21, 24, 25, 29, 31, 37, 38, 52, 53, 55, 68, 69 and 96 of an act entitled 'An act for the organization and regulation of the Indiana militia, prescribing penalties for violation of said regulations, providing for the election and appointment of officers, defining the duties of military and civil officers, and penalties for the neglect or violation thereof, providing for courts martial, councils of administration and military encampments, making appropriations for the support of said militia, repealing all laws heretofore enacted on that subject, saving certain acts therein named, and declaring an emergency for the immediate taking effect thereof,'" approved May 11, 1861; sections herein amended being sections 5357, 5358, 5360, 5361, 5362, 5363, 5364, 5365, 5366, 5368, 5369, 5373, 5375, 5377, 5378, 5381, 5382, 5385, 5388, 5389,

5391, 5397, 5406, 5409, 5413, 5422, 5428, 5429, 5440, 5441, 5451, 5458 of the Revised Statutes of 1881, and the sections hereby repealed being sections 5368, 5371, 5374, 5376, 5379, 5380, 5384, 5386, 5392, 5393, 5407, 5408, 4410, 5423, 6424, and 5452 of the Revised Statutes of 1881, respectively, approved March 8, 1889.

Read first time and referred to Committee on Military Affairs.

Senator Thompson, of Pulaski, introduced Senate Bill No. 358, entitled :

A bill for the encouragement of the industrial women in the State of Indiana, and for their representation at the World's Columbian Fair in Chicago in 1893, providing for the officers thereof and their duties, and the compensation to be paid to the officers therein named.

Read first time and referred to Committee on World's Columbian Exposition.

On motion of Senator Akin, the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

FRIDAY MORNING.

FEBRUARY 20, 1891.

The Senate convened at 9 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. C. M. Carter, editor of the Indiana Baptist.

After the reading of a portion of the Journal, on motion of Senator Mount the further reading of the same was dispensed with.

Engrossed House Bill No. 558 entitled :

A bill for an act entitled "An act concerning text books for use in the common schools of Indiana, defining the duties and compensation of certain officers and persons in this act named, with reference to the adoption, use, purchase and accounting for of such books ; defining certain felonies and creating certain felonies and creating certain civil liabilities for a violation of certain such duties ; making an appropriation of money out of the State Treasury to carry out a certain provision of this act ; providing what effect this act shall have upon a prior law on the same general subject and upon contracts entered into with the State thereunder, providing for the publication of this act, and declaring an emergency."

Read the first time and referred to Committee on Education.

Senator Magee presented the following memorial :

LOGANSPOUT, February 18, 1891.

HONORED SIR—The F. M. B. A. Lodge 5208 respectfully request that your honorable body take immediate action upon the following resolutions:

WHEREAS, the Legislators have taken hold of the problem of converting the manufacturing interest of the Southern Penitentiary into that of twine and fencing wire ; and

WHEREAS, Such change would not interfere with any branch of labor in the State of Indiana ; be it

Resolved, By the F. M. B. A. Lodge 5208, that we as a body heartily endorse such action ; be it also

Resolved, That the F. M. B. A. Lodge 5208 in regular session urge and recommend that the fee and salary act take effect immediately.

I. W. MORRISON,
E. FRY,
A. F. MURPHY,
Committee.

Referred to Committee on Agriculture.

Engrossed House Bill No. 495, entitled :

A bill for an act to amend section one (1) of an act entitled :
 "An act to amend section one of an act entitled an act concerning the organization and perpetuity of voluntary associations, and adding supplemental sections, and declaring an emergency, approved March 4, 1887, and authorizing such associations to increase their capital stock, and declaring an emergency," approved March 6, 1889.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No 24, entitled :

An act to amend "an act supplemental to an act entitled an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as pertain thereto," approved March 14, 1867, providing for the appointing of sinking fund commissioners for cities in certain cases, prescribing the powers and duties of such commissioners, and for other purposes, and declaring an emergency, approved February 23, 1889.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No 356, entitled :

A bill for an act entitled an act to amend Section 9 of an act entitled 'an act authorizing the sale and conveyance of certain lands of the State of Indiana, disposing of the proceeds thereof and providing for the recovery of the possession of any of the lands of the State unlawfully held, and for the rent of any of the lands of the State until sold, repealing all laws in conflict therewith, and declaring an emergency,' approved March 9, 1889, and declaring an emergency.

Read first time and referred to the Committee on Corporations.

Engrossed House Bill No. 253, entitled :

A bill for an act to amend Sections 315 and 317 of an act entitled "an act concerning proceedings in criminal cases," approved April 19, 1881, the same being Sections 1893 and 1895 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 498, entitled :

A bill for an act to enable the Madison County Joint Stock Agricultural Society, of Madison County, Indiana, to sell and convey all her personal property, distribute the proceeds, and end her corporate existence.

Read first time and referred to Committee on Agriculture.

Engrossed House Bill No. 95, entitled :

A bill for an act to regulate the heating of steam passenger, baggage, and mail cars, on any railroad doing business in this State, and providing penalties for the violation of the same.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 74, entitled :

A bill for an act for the completion, equipment and furnishing of the Southern Indiana Hospital for Insane; for the payment of the amounts due to persons who have performed work and labor upon said hospital and the grounds surrounding the same, and furnished materials for the same, and declaring an emergency.

Read first time and referred to Committee on Claims.

Engrossed House Bill No. 45, entitled :

An act providing that all cities having a population of one hundred thousand inhabitants may build natural gas works, and the manner in which it can be done; and providing to submit the question to a vote of the qualified electors at a special or general election, and defining the manner in which said election shall be held, and the manner in which the ballots shall be prepared, counted and canvassed; and for levying a tax, and the manner in which said tax shall be levied and collected; and providing for the issuance, by said city, of one million dollars

worth of natural gas debentures bearing four per cent. interest, payable annually, and the manner in which said debentures shall be issued and paid; and providing for the appointment of a Board of Natural Gas Trustees, defining and prescribing their powers, and repealing all laws and parts of laws in conflict with this act, and declaring an emergency.

Read first time and referred to the Committee on City of Indianapolis.

Engrossed House Bill No. 138, entitled :

A bill for an act to authorize the Board of County Commissioners of any county in this State to levy an additional assessment upon the lots and lands originally assessed for the expense of building free gravel or macadamized roads in cases where the original assessment has proven insufficient to pay such expense, and declaring an emergency.

Read first time and referred to Committee on Roads.

Engrossed House Bill No. 252, entitled :

A bill for an act to repeal section five (5) of an act entitled, An act concerning liens of mechanics, laborers and material men, amending sections 1, 2, 3 and 6 of an act entitled, An act concerning liens of mechanics, laborers and material men, approved March 6, 1883, repealing section five (5) of said act, amending section one (1) of an act entitled, An act concerning liens of mechanics, laborers and material men, approved April 18, 1885, repealing all laws and parts of laws in conflict therewith and declaring an emergency, approved March 9, 1889, and to repeal section five (5) of an act entitled, An act concerning liens of mechanics, laborers and material men, approved March 6, 1883, and declaring an emergency.

Read first time and referred to Committee on Labor.

Engrossed House Bill No. 336, entitled :

A bill for an act providing for notice of the pendency and hearing of petitions by executors and administrators, or the sale of real estate for the payment of debts of decedents' estates and relating to notices pending at the time of the taking effect of this act, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 229, entitled :

A bill for an act to amend sections 15 and 16 of an act concerning inclosures, trespassing animals and partition fences, approved June 4, 1852, defining a lawful partition fence, being sections 4848 and 4849 of the Revised Statutes of 1881, providing for the building, rebuilding and maintaining and repairing thereof by the Trustee and the assessment by said Trustee of an amount sufficient to make such fence lawful, and providing for the collection thereof, and repealing all laws or parts of laws in conflict therewith.

Read first time and referred to the Committee on Agriculture.

Engrossed House Bill No. 570, entitled :

A bill for an act to establish an efficient Board of Public Works in all cities of this State containing more than fifty thousand and less than one hundred thousand inhabitants, according to the United States census of eighteen hundred and ninety, providing for the election of the members of the Board hereby created, defining their duties and providing for the election of their successors, providing for the taking control of and having the exclusive power over the construction, supervision, cleaning, repairing, grading and improving of all streets, alleys, wharves and highways of every kind and description and the building of sewers, culverts, bridges, streets, alleys and wharves, and repealing so much of section eight (8) of an act entitled an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March the 14th, 1867, and amended March the 6th, 1877, the same being section three thousand and forty-three of the Revised Statutes of 1881, as is in conflict with this act, and repealing all laws in conflict herewith, and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Engrossed House Bill No. 355, entitled :

A bill for an act entitled an act for the relief of Perry County, Indiana, making an appropriation therefor, and declaring an emergency.

Read first time and referred to Committee on Claims.

Engrossed House Bill No. 332, entitled :

A bill for an act establishing the office of Natural Gas Supervisor in the State of Indiana, providing for the appointment of such officer, and defining his duties, repealing section 7 of an act entitled, "An act establishing a Department of Geology and Natural Resources in the State of Indiana, and providing for a Director of the Department, abolishing the department of Geology and Natural History, and the office of State Geologist connected therewith, abolishing the office of Mine Inspector and State Inspector of Oils, repealing all laws or parts of laws in conflict with any of the provisions of this act, and declaring an emergency ;" passed over the Governor's veto, and in force February 26, 1889; appropriating money to pay the salary and expenses of such Supervisor, and declaring an emergency.

Read first time and referred to Committee on Natural Gas.

Engrossed House Bill No. 431, entitled :

A bill for an act to authorize the organization and incorporation of loan guarantee and safe deposit companies, and defining their rights, powers and duties, and other matters connected therewith.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 42, entitled :

A bill for "an act providing for the filing and recording of trade-marks, labels, brands, stamps and wrappers; defining their use, granting remedies for their wrongful use, and providing a penalty for counterfeiting or imitating trade-marks, labels, brands, stamps and wrappers, and for having in possession, or for selling or offering for sale goods, wares, merchandise or other articles upon which is placed a false or forged trade-mark, label, brand, stamp or wrapper in likeness of a registered trade-mark, label, brand, stamp or wrapper.

Read first time and referred to Committee on Labor.

Engrossed House Bill No. 519, entitled :

A bill for an act to amend section number one of an act entitled an act to amend section number one of an act entitled "an act concerning the organization and perpetuity of voluntary associations, and adding supplemental sections, and declaring an emergency." Approved March 6, 1889, and declaring an emergency.

Read first time and referred to Committee on Corporations.

Engrossed House Bill No. 136, entitled :

A bill for "an act to establish an uniform system of weighing coal at the mines in this State, prescribing the duties of owners, agents or operators in relation thereto, and providing for recovery of any damages in certain cases and prescribing penalties for the violation of this act, and repealing all laws in conflict therewith."

Read first time and referred to Committee on Mines and Mining.

Engrossed House Bill No. 343, entitled :

A bill for an act to amend sections 2 and 4 (sections 3434 and 3436, R. S. 1881) of an act entitled an act for the incorporation of high schools, academies, colleges, universities, theological institutions and missionary boards, approved February 28, 1855, and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

On motion of Senator Hayden Senate Bill No. 171 was indefinitely postponed, as it was a duplicate of House Bill No. 343.

Engrossed House Bill No. 486, entitled :

A bill for an act for the relief of John W. White, late Treasurer of Clay County, in the State of Indiana.

Read first time and referred to Committee on County and Township Business.

Engrossed House Bill No. 133, entitled :

A bill for an act to provide a remedy for attempted taxation of Indiana lands not subject to taxation, making such attempts unlawful, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 539, entitled :

A bill for an act to amend sections one (1) and twelve (12) of an act entitled "An act to provide for the incorporation of street railroad companies," approved June 4, 1861, the same being sections 4143 and 4154 of the Revised Statutes of 1881, naming the kind of power to be used on such street railroad, authorizing assessments against street railroad companies for the improvement and repair of highways, streets and alleys in incorporated cities and towns, and the bridges and culverts connected therewith, providing for the collection of such assessments, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 560, entitled :

A bill for an act authorizing cities to construct, purchase, extend, own and operate water works, natural and artificial gas plants and electric light plants, providing the manner of making and collecting assessments, and of issuing bonds and raising revenue therefor.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 302, entitled :

A bill for an act to encourage agriculture, providing for the manufacture of artificial dairy products, providing for brands and labels on the packages, and requiring cards to be displayed of the nature of such products, providing for the punishment for violating the same.

Read first time and referred to Committee on Agriculture.

Engrossed House Concurrent Resolution No. 16, entitled :

WHEREAS, A bill has been introduced in the Congress of the United States, known as the "Butterworth" or "Anti-Option Bill," to prevent gambling in farm productions to the injury of the producer or owner, and

WHEREAS, The aforesaid "Anti-Option Bill" has been before Congress for twelve months or more and as yet no action taken, therefore,

Resolved by the House of Representatives of Indiana, the Senate concurring, That we instruct our Senators and request our Representatives in Congress to urge the immediate passage of said bill, believing that the passage of such law will effectually prevent the buying and selling of agricultural and mechanical products with the sole view of settling the difference in price between the market value of such products at the time of purchase and the time of delivery.

H. F. WORK,
Representative of Clark.

On motion of Senator Shockney, Engrossed House Concurrent Resolution No. 16 was concurred in.

On motion of Senator Foley, his resolution offered several days ago, and authorizing the Assistant Secretary to issue warrants for the payment of certain articles purchased by the Doorkeeper, was adopted.

Senator Kopelke offered the following memorial :

VALPARAISO, IND., February 17, 1891

To the Hon. J. Kopelke, Senate Chamber, Indianapolis, Ind. :

DEAR SIR—At a regular meeting of Chaplain Brown Pos No. 106, Department of Indiana, G. A. R., held at the Post Rooms on the 14th inst., the following resolutions were unanimously adopted, to-wit :

Be it resolved, That the Senator and Representative of Porter County in the General Assembly of the State of Indiana, be and they are hereby most earnestly requested to vote for and to use all honorable means to secure the passage of the bill now pending before the General Assembly, making certain appropriations for the Indiana Soldiers' and Sailors' Orphans' Home, said bill being House Bill No. 6 and Senate Bill No. 15.

And it is further resolved, That the Adjutant of this Post forward to Senator Kopelke and Representative Kern a copy of these resolutions.

H. BAYLOR,
Adjutant.

Referred to Committee on Military Affairs.

Senator Ellison presented the following memorial:

HEADQUARTERS E. C. NEWLAND POST, No. 247,
GRAND ARMY OF THE REPUBLIC,
BEDFORD, IND., Feb. 19, 1891. }

To the Hon. David H. Ellison, Senator from Lawrence and Jackson:

DEAR SIR—At a meeting of our Post, February, 1891, there being present a goodly attendance, it was decided by a unanimous vote that this Post fully approves of House Bill No. 6 and Senate Bill No. 15, entitled "an act concerning the Indiana Soldiers' and Sailors' Orphans' Home, providing for the maintenance and improvement thereof, etc., and the Adjutant of this Post was instructed to inform the proper Representatives of our districts, of this action of our Post, and request said Representatives, in both Senate and House, to support this bill.

THOMAS G. GLOVER,
Commander of Post.

D. D. ELDRIDGE,
Adjutant of Post.

Read and referred to Committee on Military Affairs.

Senator Shockney presented the following memorial:

HEADQUARTERS ABRAM D. SHOLTZ POST No. 73,
DEPARTMENT OF INDIANA, G. A. R.,
WINDSOR, IND., Feb. 17, 1891. }

To Hon. Theodore Shockney and to Hon. Wm. D. Stone, members of the Indiana Legislature from Randolph County:

GENTLEMEN—The following resolution was unanimously adopted by this Post at a stated meeting held this night:

Resolved, That our Senators, Theodore Shockney and Wm. D. Stone, be requested to support House Bill No. 6 and Senate

Bill No. 15, which is now pending in the Indiana Legislature, and do all that is in their power to secure its passage.

[A true copy.]

N. T. CHENOWITH, Q. M.,
For the Adjutant.

Read and referred to the Committee on Benevolent Institutions.

Senator Shockney presented the following memorial:

MUNCIE, INDIANA, February 19, 1891.

To Hon. Theodore Shockney, Senate, Indianapolis, Ind.:

DEAR SIR—The Delaware County Institute, assembled this day, unanimously adopted the accompanying resolutions, and pursuant thereto we most respectfully present them to you for your consideration and guidance.

They are as follows, to-wit:

Resolved, 1. That we look to the Legislature, now in session at Indianapolis, for the relief from the unjust burden imposed upon the people of the State, by fees and salaries allowed to Auditors, Treasurers, Recorders and Sheriffs, being reduced to a fair compensation for the skill and labor required in the discharge of the duties of their respective offices.

Resolved, 2. That the measure of relief afforded by the reduction of fees and salaries of county officers is urgent, and the demand for that relief is imperative. The Clerk and Treasurer of this (Delaware) County, as were many officers in other counties of the State, were elected in November, 1890, and do not take their offices until the latter part of the present year. In view of this fact, and for other considerations, the proposition to postpone the taking effect of measures of relief until the expiration of the terms of office of the officers elect, and the exemption of officers elect from the operation of the law reducing their pay to honest proportions, we declare to be utterly vicious in principle, and unjust and dishonest in practice.

And we call upon the Legislature, now in session, to enact a law affording this relief, to take effect upon its passage and approval by the Governor.

And we direct that the President and Secretary of this meeting forward copies of these resolutions to the Hon. Thomas S. Guthrie, our Representative, and to Hon. Theodore Shockney, our Senator in the Legislature, with instructions to them to use all honorable means to carry their terms into effect.

LEWIS MOORE,
President.

J. L. POWERS,
Secretary.

Read and referred to the Committee on Fees and Salaries.

Senator Chandler presented the following memorial:

GREENFIELD, IND., February 9, 1891.

Hon. Morgan Chandler, Indianapolis:

DEAR SIR—At a regular meeting of Samuel H. Dunbar Post, No. 92, Department of Indiana, G. A. R., held in this city on Saturday evening, February 7, 1891, the following resolutions were unanimously adopted, viz.:

Resolved, That the members of the House of Representatives and Senators representing Hancock County, in whole or in part, in the present session of the Legislature of Indiana, be and they are hereby earnestly requested to vote for and use all honorable means to secure the passage of House Bill No. 6 and Senate Bill No. 15, and entitled: "A bill for an act concerning the Indiana Soldiers' and Sailors' Orphans' Home, providing for the maintenance and improvement thereof, making appropriations therefor, providing that certain appropriations therefor shall cease, and declaring an emergency."

Resolved, further, That copies of these resolutions be transmitted to Hon. Morgan Chandler, Hon. Daniel Foley, Hon. Samuel A. Troy, and Hon. James A. Curtis.

I have the honor to be your obedient servant,

JEFF. C. PATTERSON,
Commander Dunbar Post No. 92, Department of Indiana.

Attest: WM. G. SMITH,
Adjutant.

Referred to Committee on Military Affairs.

Senator Ellison offered the following motion :

MR. PRESIDENT :

I move to amend the motion to concur in the report of the Judiciary Committee for the indefinite postponement of Engrossed House Bill No. 22, by striking out the word "concur," and inserting in lieu thereof the word non-concur.

The motion was adopted.

The sub-committee of the Committee on Benevolent Institutions, appointed to investigate the eastern Hospital for the Insane, were granted leave of absence for the forenoon.

Senator Lynn was granted leave of absence till Monday.

Senator Hubbell introduced Senate Bill No. 359, entitled :

A bill for an act to amend Section 1 of an act entitled, an act prescribing certain duties of Telegraph and Telephone Companies, prohibiting discrimination between patrons, providing penalties therefor, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Shanks introduced Senate Bill No. 360, entitled :

A bill for an act concerning the purchase of gravel, macadamized and plank roads in counties containing a population of sixty-five thousand and more, according to the census of the United States for the year A. D. 1890, the repair thereof, and declaring an emergency.

Read first time and referred to Committee on Roads.

Senator Grimes introduced Senate Bill No. 361, entitled :

A bill for an act providing for the payment of certain moneys for the construction of the Soldiers' and Sailors' Monument, and making the necessary appropriation therefor, and declaring an emergency.

Read first time and referred to Committee on Claims.

Senator Mount offered the following memorial:

Members of the General Assembly of the State of Indiana:

SIR—We, the undersigned, citizens of Montgomery County, Indiana, respectfully call your attention to enclosed copies of a bill for an act providing for the protection of physicians, surgeons, dentists, editors, authors, publishers, artists, architects, designers and engravers against speculative law suits, and of a bill for an act concerning expert testimony.

It is our belief that legislative action is imperatively demanded in relation to the matters set forth in these bills, that the rights of the professions named may be protected, and the interests of justice furthered; matters in which all the citizens of the State are concerned, therefore, we petition that when said bills or their equivalents come before the General Assembly for action, you will, by your influence and vote, favor their passage.

(Signed). E. H. Cowan, M. D., and others.

Referred to Committee on Judiciary.

Senator Kennedy offered the following memorial:

HEADQUARTERS WM. J. FLINN POST No. 503,

G. A. R., DEPARTMENT OF INDIANA.

Resolved, That it is a duty we owe to the orphans of our late comrades in arms, that we heartily endorse Senate Bill No. 15 and House Bill No. 6, and we earnestly request that our Senator and Representative in the General Assembly of the State of Indiana vote for and do all in their power to pass said bill.

Passed at a regular meeting of this Post, held February 7, 1891, at Raglesville, Indiana.

A. HATTERY,
Commander.

W. M. FRENCH,
Adjutant.

W. M. FRENCH,
W. M. MEYERS,
J. B. MYERS,
Committee.

Referred to Committee on Benevolent Institutions.

Senator Fulk offered the following memorial :

HEADQUARTERS CHARLES POST, No. 469, G. A. R. }
DEPARTMENT OF INDIANA. }

WHEREAS, While we cherish and hold sacred the memory of our departed comrades, we deem it our duty to look with parental care to the comfort and well-being of their orphans; and,

WHEREAS, A bill has been introduced in our General Assembly, known as No. 6 in the House, and No. 15 in the Senate, entitled, "An act concerning the Indiana Soldiers' and Sailors' Orphans' Home, providing for the maintenance and improvement thereof, making appropriations therefor, providing that certain appropriations cease, and declaring an emergency;" therefore,

Resolved, That we urge our Honorable Representative and State Senator to give the above entitled bill, known by said members in their respective Houses, their cordial support.

Resolved, That a copy of these resolutions be sent to each of our Representatives in said General Assembly.

HARRY HARRIS,
Commander.

JOSEPH CARTER,
Adjutant.

HOPE, February 14, 1891.

Referred to Committee on Benevolent Institutions.

Senatar Hanley presented the following petition :

MUNICIPAL SUFFRAGE PETITION.

*To the Honorable Senate
and House of Representatives of Indiana :*

We, the undersigned, citizens of Indiana, county of Warren, town of Rainsville, respectfully petition your honorable body to enact a law granting to women municipal suffrage.

Signed by JACOB BROWN and others.

Read and referred to the Committee on Woman's Claims.

Senator Kopelke offered the following motion:

MR. PRESIDENT:

I move that the Committee on Revision of the Constitution be directed to report to the Senate by next Monday morning the result of its investigation into the status of the Constitutional amendments proposed in the last General Assembly.

The motion was adopted.

Senator Yaryan presented the following memorial:

A petition to the Indiana Legislature for a revision of the present law against shooting live birds from traps, making it more intelligible and forcible.

We, the undersigned, do hereby petition your honorable body, the Legislature of Indiana, now in session at Indianapolis, to formulate and enact a law that will more radically express opposition to shooting live birds from traps than the one now in existence. After repeated tests of the present law, it has proved inadequate and vulnerable. We desire and pray for a revision by and through which the idea originally intended can be carried out and this form of cruelty stopped.

Signed by Evelyn McCormick and others.

Read and referred to the Committee on Agriculture.

Senate Bill No. 228 was ordered printed.

Engrossed Senate Bill No. 182 was read a third time.

Senator Kopelke offered the following motion:

MR. PRESIDENT:

I move to refer Senate Bill No. 182 to a special committee of one with instructions to strike out section 2, and to renumber the other sections consecutively.

Senator Fulk moved to reject the amendment.

Which motion prevailed.

Senator Morgan offered the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 182 to a special committee of one to amend by striking out of section 1, line 10, all after the word dollars, and all that part of line 11 to the word which.

Senator Foley moved to reject the amendment.

The motion prevailed.

Senator Boyd offered the following motion :

MR. PRESIDENT :

I move to strike out the words "from owner's premises" in section No. 3 of Senate Bill No. 182.

Which motion prevailed, and Senator Boyd appointed as such special committee.

Senator Boyd as the special committee offered the following report :

MR. PRESIDENT :

Your committee, to whom was referred Senate Bill No. 182, reports that he has amended the same by striking out the words "from owner's premises," as directed.

The report of the committee was concurred in.

The question being, Shall the bill as amended pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Caster, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shoekney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

Those voting in the negative were :

Senators Burke, Hayden, Kopelke and Morgan. Total, 4.

So the bill passed.

The title to the bill was adopted as the title to act.

Senator Griffith, chairman of Committee on Enrolled Bills, presented the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report, that, after enrolled Senate Acts Nos. 77, 84, 142, 127, 48, 329, 63 and 73 were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this Feb. 20, 1891.

F. M. GRIFFITH,
Chairman.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, IND., Feb. 20, 1891. }

Mr. President and Gentlemen of the Senate :

I hereby announce to you the death of the Hon. John G. Berkshire, one of the Judges of the Supreme Court of Indiana, which occurred at North Vernon last evening at 5 o'clock.

His whole life was so honorable and his ability so conspicuous that in honor of his high personal character and the dignified office he held, I am sure it is needless for me to suggest the propriety of your honorable body taking some action with regard to the same.

ALVIN P. HOVEY,
Governor of Indiana.

Senator Griffith offered the following resolution :

WHEREAS, The Senate has learned of the death of Hon. John G. Berkshire, a Justice of the Supreme Court of this State, which occurred yesterday evening at North Vernon ; and,

WHEREAS, The intelligence has been received with the most marked expression of regret ; therefore be it

Resolved, That the Senate extend to the family of Judge Berkshire its sincere condolence occasioned by his death.

Resolved, That a committee of three Senators be appointed to attend his funeral.

Resolved, That a copy of these resolutions be spread on the Journal and a like copy sent to the family of the deceased.

The resolutions were unanimously adopted by a rising vote.

President Chase appointed Senators Holland, Hudson and Shockney as the committee to attend Judge Berkshire's funeral.

Senate Bill No. 213, together with the report of committee thereon, was read a second time.

The bill was ordered engrossed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 399, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 176, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 394, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 9, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 238, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 244, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 339, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Engrossed Senate Bill No. 248 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Caster, Clemans, Foley, Francis, Fulk, Gilman, Griffith, Hayden, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Pulaski, and Wiggs. Total, 26.

Those voting in negative were:

Senators Akin, Boyd, Ellison, Grimes, Grose, Hanley, Hays, Holland, Magee, Morgan, Shockney, Thompson of Marion, Thompson of Huntington, and Yaryan. Total, 14.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 250 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Magee, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 34.

Senator Shockney voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 20, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 84, the same being "An act to amend certain sections of an act to establish City Courts in cities having a population of over six thousand."

Also, Senate Bill No. 142, amending certain sections relating to insanity inquests.

Also, Senate Bill No. 77, to reimburse the Medical Superintendent and others, on account of advances of money and supplies made for the use of the Northern Hospital for the Insane.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 20, 1891. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 48, the same being "An act to legalize the acts of Notaries Public."

Also, Senate Bill No. 127, to legalize the acts of the Board of Trustees of the town of Michigantown, Clinton County.

Also, Senate Bill No. 329, to legalize the incorporation of the town of Osgood.

Also, Senate Bill No. 73, authorizing boards of County Commissioners and other proper officers of counties of this State adjoining other States to join with the Board of Commissioners or other proper authorities of such other States in the construction and repair of ditches, drains and water courses.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

On motion of Senator Smith, Senate Bill No. 216 was considered engrossed.

Engrossed Senate Bill No. 216 was read a third time and placed upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes,

Grose, Hanley, Hayden, Hays, Holcomb, Holland, Howard, Hubbell, Hudson, Jones, Kennedy, Kopelke, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 39.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 219 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Caster, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Holcomb, Holland, Howard, Hubbell, Hudson, Jones, Kennedy, Kopelke, Loveland, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 36.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Chandler presented the following memorial:

MILROY, RUSH COUNTY, IND., Jan. 29, 1891.

To the Honorable Morgan Chandler:

DEAR SIR—The following resolution was passed by a unanimous vote of F. F. Swain Post, No. 456, Department of Indiana, G. A. R., and as per instructions by the Post, I herewith enclose a copy of same to you for your favorable consideration.

Yours respectfully,

ROBERT DORSTO,
Adjutant of Post.

Resolved, That F. F. Swain Post No. 456, Department of Indiana, G. A. R., request and urge their Representatives in the General Assembly of Indiana to use their best efforts in the passage of House Bill No. 6 and Senate Bill No. 15.

Passed by a unanimous vote of the Post at their regular meeting, January 23, 1891.

EDWARD FISHER,
Committee.

ROBERT DORSTO,
Adjutant.

Referred to Committee on Benevolent Institutions.

Senator Chandler offered the following memorial:

RUSHVILLE, January 12, 1891.

Hon. Morgan Chandler, Joint Senator from Hancock and Rush Counties:

DEAR SIR:

In accordance with the orders of the "Farmers' and Stock Grower's Association," at their last meeting, January 10, 1891, the Secretary herewith transmits a series of resolutions adopted unanimously, and deemed of the first necessity to the welfare of the State of Indiana, and respectfully ask you, as one of their honored representatives, to present and use every means to secure their adoption.

This organization has been for the last eight years in successful operation, and is composed of near a hundred of the intelligent and representative farmers of Rush County, its members being about equally divided between the two great political parties.

Hoping this may receive your earnest support and advocacy, and that the petition that you will receive from the several townships will satisfy you that this is the voice of the people,

I am yours respectfully,

JOHN ARNOLD,
Secretary of the F. and S. G. Association of Rush County,
Indiana.

A PETITION.

The committee appointed at the farmers' meeting last Saturday to prepare a petition to be presented to the State Legislature present the following:

To the honored members of the Legislature of the State of Indiana:

GENTLEMEN—The Farmers' Club of Rush County, Indiana, and other voters of like mind in said county, respectfully and earnestly petition your honored body to abolish the office of County Superintendent of Schools; to repeal all laws that authorize the people to vote a tax to aid any organization or corporation; to prohibit the giving of money by the State to colleges, normal schools, or other systems of higher education, or to the State Agricultural Society; to require the affairs of the State and counties to be conducted with the most rigid economy, and that all officers of the State and counties be paid a stipulated salary, the amount of which to be determined by the labor and responsibility of the office.

DEMANDS OF THE RUSH COUNTY FARMERS.

Special to the Indianapolis Journal.

RUSHVILLE, IND., Jan. 10.—At a meeting of the Rush County Farmers' Club to-day the following resolutions were unanimously adopted:

Resolved, That the office of County Superintendent be abolished as a useless and expensive appendage to the common school system.

Resolved, That all laws authorizing Trustees, Councilmen or County Commissioners to levy tax by the vote of the people to aid any corporation or organization be repealed.

Resolved, That the Legislature be forever prohibited from granting subsidies to colleges, normal schools or any other system of higher education, or to the State Fair Association.

Resolved, That the bill providing for fees to county and State officers be abolished, and that all officers be paid a fixed salary in proportion to the labor and responsibilities of the office.

A motion that a copy of the above resolutions be furnished the Senator and Representative of this county, and that they

be supplemented by a prayer from as many petitioners as can be secured, that said resolutions become laws in due form and of legal effect.

Prevailed.

The club is composed of equal numbers of Republicans and Democrats. They are not Alliance men, but are a unit on these measures and are greatly in earnest.

Referred to the Committee on Agriculture.

Senator Chandler presented the following memorial :

ARLINGTON, IND., Feb. 7, 1891.

Hon. Eliza Oldham and Hon. Morgan Chandler :

DEAR SIR—We, the undersigned citizens of Arlington, Rush County, Indiana, respectfully request that you use your influence against the bill requiring foreign insurance companies to deposit \$50,000 in order to do business in Indiana.

Signed by Robert Hutchinson and others.

Referred to the Committee on Insurance.

Senator Chandler presented the following memorial :

CARTHAGE, IND., Jan. 29, 1891.

Morgan Chandler, Senator, Indianapolis, Ind. :

DEAR SIR—I am instructed by Elwood Hill Post, No. 372, Grand Army of the Republic, to request you to vote and work for the passage of House Bill No. 6, and Senate Bill No. 15, being for very much needed improvements to the Soldiers' and Sailors Orphans' Home in Rush County, and an appropriation to pay for same.

Very respectfully,

J. H. HILL,
Adjutant, Post No. 372.

Referred to the Committee on Benevolent Institutions.

Senator Chandler presented the following memorial :

JOEL WOLFE CORPS, No. 68.
RUSHVILLE, IND., Jan. 28, 1801. }

WHEREAS, An emergency exists for the immediate passage of House Bill No. 6, and Senate Bill No. 15; therefore, be it

Resolved by Joel Wolfe Corps, No. 68, That our Representatives in the General Assembly be urged to support and vote for said bill. Also that a copy of this resolution be transmitted to our Representative and joint Senator.

INDIA HACKLEMAN,
ANNIE C. MOSES,
Committee.

ALICE BAINBRIDGE,
Secretary.

LOUISA S. HAVENS,
President.

Referred to the Committee on Benevolent Institutions.

Senator Chandler presented the following memorial :

HEADQUARTERS JOEL WOLFE POST, No. 81, G. A. R. }
RUSHVILLE, IND., Jan. 29, 1891. }

Hon. Morgan Chandler :

DEAR SIR—At a meeting of Joel Wolfe Post, held January 28, the following resolution was adopted by a unanimous vote, viz. :

That the representatives of Rush County in the Senate and House now assembled be requested to support and vote for the bill already introduced in each branch of the General Assembly, being House Bill No. 6 and Senate Bill No. 15, entitled : “A bill for an act concerning the Indiana Soldiers’ and Sailors’ Orphans’ Home, providing for the maintenance and improvements thereof, making appropriation therefor, providing that certain appropriations therefor shall cease, and declaring an emergency.”

That the Adjutant of this Post be instructed to forward a copy of this resolution to the members of the House and Senate representing this county, asking them to support the bill as introduced.

By order of

EDWARD YOUNG,
Post Commander.

CHAS. O. NIXON,
Adjutant.

Referred to the Committee on Benevolent Institutions.

Engrossed Senate Bill No. 76 was read a third time.

On motion of Senator Hubbell Senate Bill No. 76 was made the special order for this afternoon at 2 o'clock.

Engrossed House Bill No. 176, entitled :

A bill for an act authorizing counties, cities and other political and municipal corporations to fund their indebtedness, repealing all laws and parts of laws in conflict with this act, and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Engrossed House Bill No. 394, entitled :

A bill for an act to amend Sections 359 of an act concerning trial by jury, in force since September 19, 1881, the same being Section 525 of the Revised Statutes of 1881.

Read first time and referred to Committee on Organization of Courts.

Engrossed House Bill No. 238, entitled :

A bill for an act providing for the care and custody of the battle flags of the Indiana regiments in the Civil War.

Read first time and referred to the Committee on Military Affairs.

Engrossed House Bill No. 244, entitled :

A bill for an act to amend Sections 2 and 6 of an act approved April 11, 1885: An act regulating the practice of medicine, surgery, and obstetrics, providing for the issuing of licenses to practice, defining certain misdemeanors and providing penalties.

Read first time and referred to Committee on Public Health.

Engrossed House Bill No. 399, entitled :

A bill for an act making it the duty of each Township Trustee of the several counties of the State of Indiana to make a full and detailed report of the names of all persons receiving aid from said Township Trustee; also the amount

received by each of said persons, and file the same with the Board of County Commissioners at their regular session and providing penalties for the violation thereof.

Read first time and referred to the Committee on County and Township Business.

Engrossed House Bill No. 339, entitled:

A bill for an act requiring County Treasurers to return to tax-payers all unexpended money collected from said tax-payers to build free gravel roads in cases wherein said roads are completed and a portion of said taxes is left in the treasury.

Read first time and referred to Committee on Roads.

On motion of Senator Burke the Senate adjourned.

FRIDAY AFTERNOON.

FEBRUARY 20, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

Senator Sweeney, chairman of Committee on Corporations, made the following report on Engrossed House Bill No. 356:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Engrossed House Bill No. 356, introduced by Representative Zoercher, have had said bill under consideration and have the honor to report the same back with the recommendation that it do pass.

SWEENEY,
Chairman.

Engrossed House Bill No. 356 was read a second time.

Senator Chandler, chairman of the Committee on Insurance, offered the following report on Senate Bill No. 804:

MR. PRESIDENT:

Your Committee on Insurance, to whom was referred Senate Bill No. 804, introduced by Senator Mount, beg leave to report the same back, with the recommendation that the bill do pass.

Senator Fulk, chairman of the Committee on Organization of Courts, offered the following report on Engrossed House Bill No. 281:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Engrossed House Bill No. 281, introduced by Representative Hench, have had the same under consideration, and have the honor to report the same back, with the recommendation that it do pass.

Engrossed House Bill No. 281 was read a second time.

The special order for this hour being the consideration of Senate Bill No. 76, the same was proceeded with.

The question being on the passage of the bill.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Ewing, Francis, Fulk, Griffith, Hayden, Hays, Holland, Howard, Hubbell, Kennedy, Kopelke, McHugh, Magee, Shanks, Smith, and Thompson of Pulaski. Total, 18.

Those voting in the negative were:

Senators Boyd, Burke, Carver, Caster, Chandler, Clemons, Ellison, Foley, French, Gilman, Grimes, Grose, Hanley, Harlan, Hobson, Holcomb, Hudson, Jackson, Jones, Kerth, Morgan, Moore, Mount, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 29.

So the bill failed to pass.

Senator Yaryan introduced Senate Bill No. 361, entitled :

A bill for an act to amend sections 2, 4, and 6 of an act entitled, An act to regulate the practice of medicine, surgery and obstetrics, providing for the issue of licenses to practice, defining misdemeanors, and providing penalties. Approved April 11, 1885.

Read first time and referred to Committee on Public Health.

Engrossed House Bill No. 309, together with the majority and minority reports of the committee thereon, was read a second time.

Senator Kopelke moved that the majority report be concurred in.

Senator Burke moved to substitute the minority for the majority report.

Senator Kopelke moved to reject Senator Burke's motion to substitute the minority for the majority report.

The ayes and noes being demanded by Senators Burke and Magee.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Byrd, Caster, Chandler, Ewing, Foley, French, Hanley, Harlan, Hayden, Hays, Holcomb, Jackson, Jones, Kennedy, Kopelke, Loveland, McHugh, Moore, Shockney, Smith, Sweeney, Thompson of Marion, and Thompson of Pulaski. Total, 24.

Those voting in the negative were :

Senators Akin, Burke, Carver, Fulk, Gilman, Griffith, Grimes, Grose, Holland, Howard, Kerth, Magee, Mount, Shanks, Thompson of Huntington, Wiggs and Yaryan. Total, 17.

So the motion to reject prevailed, and the minority report failed of adoption.

The question recurring on the majority report the same was adopted.

Senator Burke offered the following motion :

MR. PRESIDENT :

I move to amend section 1 of Engrossed House Bill No. 309, by striking out the words "In all suits coming out of the appointment or removal of administrators or executors and."

Senator Ewing moved to reject the amendment.

The ayes and noes being demanded by Senators Burke and Magee.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Caster, Chandler, Ewing, Foley, French, Fulk, Gilman, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Loveland, McHugh, Moore, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, and Yaryan. Total, 27.

Those voting in the negative were :

Senators Akin, Burke, Byrd, Griffith, Grimes, Grose, Holland, Kerth, Magee, Morgan, Mount, Shanks, Thompson of Huntington, and Wiggs. Total, 14.

So the motion to reject was adopted.

Senator Howard offered the following amendment :

MR. PRESIDENT :

I move that Senate Bill No. 309 be amended as follows :

Add to Section five the words : "Provided that the provisions of this act shall not apply to any cause now pending, but the same shall be tried and determined as if this act had never been passed." Also to strike out the emergency clause.

The ayes and noes being demanded by Senators Burke and Howard.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Carver, Caster, Clemans, Ellison, French, Griffith, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Jones, Kennedy, Kerth, McHugh, Magee,

Morgan, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Wiggs. Total, 30.

Those voting in the negative were :

Senators Chandler, Ewing, Foley, Fulk, Gilman, Hayden, Hudson, Jackson, Loveland, Moore, and Thompson of Pulaski. Total, 11.

So the amendment was adopted, the amendment ordered engrossed, and the bill passed to a third reading.

The following invitation was received :

HEADQUARTERS DEPARTMENT OF INDIANA,
GRAND ARMY OF THE REPUBLIC,
OFFICE OF ASSISTANT ADJUTANT-GENERAL,
64 EAST MARKET STREET,
INDIANAPOLIS, February 18, 1891.

*Lieutenant-Governor Ira J. Chase, President,
and Members of the Senate of the State of Indiana :*

You are respectfully invited to join with the various Posts of the Grand Army of the Republic of this city in memorial services in memory of our deceased comrade, William Tecumseh Sherman, at Tomlinson Hall, Friday evening, February 20, 1891, at 7:30 o'clock.

By order of the committee.

R. M. Smock,
Chairman.

The invitation was accepted.

Senator French, chairman of Committee on Congressional Apportionment, presented the following majority report on Senate Bill No. 189 :

MR. PRESIDENT :

Your Committee on Congressional Apportionment have had under consideration Senate Bill No. 189, entitled "an act to divide the State of Indiana into Congressional Districts," and

the undersigned majority members of your committee have the honor to report the following bill to the Senate as a substitute therefor with the recommendation that said substitute do pass.

FRENCH, Chairman.
 WM. KENNEDY,
 ELLISON,
 GRIFFITH,
 HUDSON,
 BYRD,
 HAYDEN,
 T. E. HOWARD,
 RUFUS MAGEE,
 G. H. THOMPSON.

An act to divide the State of Indiana into Congressional Districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That the State of Indiana shall be divided into thirteen districts for the election of Representatives in the Congress of the United States, each of which districts shall be entitled to one Representative.

SEC. 2. The limits of each district shall be as follows:

SEC. 3. The counties of Posey, Gibson, Vanderburgh, Warrick, Pike, Spencer, and Perry shall constitute the First District.

SEC. 4. The counties of Knox, Greene, Daviess, Martin, Dubois, Lawrence, Orange and Crawford shall constitute the Second District.

SEC. 5. The counties of Harrison, Washington, Jackson, Jennings, Scott, Clark and Floyd shall constitute the Third District.

SEC. 6. The counties of Jefferson, Ripley, Decatur, Union, Franklin, Dearborn, Ohio and Switzerland shall constitute the Fourth District.

SEC. 7. The counties of Owen, Putnam, Hendricks, Morgan, Monroe, Brown, Johnson, Bartholomew and Shelby shall constitute the Fifth District.

SEC. 8. The counties of Henry, Delaware, Randolph, Wayne, Fayette and Rush shall constitute the Sixth District.

SEC. 9. The counties of Marion, Madison and Hancock shall constitute the Seventh District.

SEC. 10. The counties of Sullivan, Vigo, Clay, Parke, Vermillion, Fountain and Montgomery shall constitute the Eighth District.

SEC. 11. The counties of Boone, Tippecanoe, Clinton, Tipton, Hamilton, Howard, Benton and Warren shall constitute the Ninth District.

SEC. 12. The counties of Carroll, Cass, White, Fulton, Pulaski, Newton, Jasper, Lake and Porter shall constitute the Tenth District.

SEC. 13. The counties of Grant, Miami, Wabash, Huntington, Wells, Adams, Jay and Blackford shall constitute the Eleventh District.

SEC. 14. The counties of Allen, Whitley, Noble, Dekalb, Lagrange and Steuben shall constitute the Twelfth District.

SEC. 15. The counties of Starke, Laporte, St. Joseph, Marshall, Elkhart and Kosciusko shall constitute the Thirteenth District.

SEC. 16. All laws and parts of laws in conflict with the provisions of this act shall be, and the same are hereby, repealed.

The following minority report was also presented :

MR. PRESIDENT :

The undersigned, a minority of your Committee on Congressional Apportionments, to whom was referred Senate Bill No. 189, introduced by Senator Byrd, beg leave to report they recommend that said bill be amended by striking out all after the enactment clause, and inserting the following :

That pursuant to the laws of the United States, the State of Indiana shall be divided into thirteen districts for the election of Representatives in the Congress of the United States, each of which districts shall be entitled to one Representative.

SEC. 2. The limits of each district shall be as follows.

SEC. 3. The counties of Pike, Gibson, Posey, Vanderburgh, Warrick and Spencer shall constitute the First District; the counties of Knox, Daviess, Martin, Dubois, Orange, Crawford, Perry, Harrison and Washington shall constitute the Second

District; the counties of Monroe, Lawrence, Jackson, Jefferson, Jennings, Scott, Clark and Floyd shall constitute the Third District; the counties of Hendricks, Morgan, Johnson, Shelby, Hancock, Bartholomew and Brown shall constitute the Fourth District; the counties of Wayne, Rush, Fayette, Union, Franklin, Decatur, Ripley, Dearborn, Ohio and Switzerland shall constitute the Fifth District; the counties of Wells, Adams, Blackford, Jay, Delaware, Randolph and Henry shall constitute the Sixth District; the counties of Marion and Hamilton shall constitute the Seventh District; the counties of Putnam, Vigo, Clay, Owen, Sullivan and Greene shall constitute the Eighth District; the counties of Benton, Warren, Tippecanoe, Fountain, Montgomery, Parke and Vermillion shall constitute the Ninth District; the counties of Laporte, Porter, Lake, Newton, Jasper, Starke, Pulaski, White and Cass shall constitute the Tenth District; the counties of Wabash, Miami, Grant, Howard, Tipton, Carroll and Clinton shall constitute the Eleventh District; the counties of Steuben, Dekalb, Noble, White, Allen and Huntington shall constitute the Twelfth District; the counties of Elkhart, St. Joseph, Marshall, Kosciusko, Lagrange and Fulton shall constitute the Thirteenth District.

SEC. 4. All laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

And when so amended the bill do pass.

S. A. HAYS,
THOS. E. BOYD,
JOHN YARYAN.

Engrossed House Bill No. 29, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

And the bill passed to a third reading.

Engrossed House Bill No. 86, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

And the bill passed to a third reading.

Engrossed House Bill No. 111, together with the majority and minority reports thereon, was read a second time.

On motion of Senator Fulk the majority report was concurred in.

Senator Magee offered the following amendment:

MR. PRESIDENT:

I move to amend House Bill No. 111 by inserting in the third line of Section one after the word "repeated" the following words: "Provided that nothing contained in this act shall affect pending litigation, and the rights of such litigants shall remain the same as if this act had not been passed."

Senator Fulk moved to reject the amendment.

The ayes and noes being demanded by Senators Foley and Fulk.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Byrd, Foley, Fulk, Hudson, Jackson, Jones, Kennedy, Kopelke, Moore, Sweeney, Thompson of Marion, Thompson of Pulaski, Wiggs. Total, 13.

Those voting in the negative were:

Senators Akin, Boyd, Burke, Carver, Caster, Ellison, Ewing, Gilman, Grimes, Grose, Hanley, Hayden, Hays, Holcomb, Holland, Howard, Hubbell, Loveland, McHugh, Magee, Morgan, Mount, Shanks, Shockney, Thompson of Huntington, Yaryan. Total, 26.

So the motion to reject was lost.

The question being on the adoption of Senator Magee's amendment.

The same was adopted and ordered engrossed.

Engrossed House Bill No. 254, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, the amendment ordered engrossed, and the bill passed to a third reading.

On motion of Senator Griffith, Engrossed House Bill No. 560 was substituted for Senate Bill No. 295.

Engrossed House Bill No. 269, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill passed to a third reading.

Engrossed House Bill No. 270, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill was passed to a third reading.

Engrossed House Bill No. 119, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill passed to a third reading.

Engrossed House Bill No. 62, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

The bill was passed to a third reading.

Engrossed House Bill No. 268, together with the majority and minority reports of the committee thereon, was read a second time.

Senator Hudson moved to concur in the majority report.

Senator Hubbell moved to substitute the minority report for the majority report.

On motion of Senator Boyd, the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

SATURDAY MORNING.

FEBRUARY 21, 1891.

The Senate convened at 9 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by President Chase.

After the reading of a portion of the Journal, on motion of Senator Griffith, the further reading of the same was dispensed with.

Senator Griffith offered the following resolution, and moved its adoption.

Resolved, That M. E. Murry be and she is hereby allowed twelve dollars for services rendered at the request of the sub-committee of the Senate and House on Fees and Salaries, in making two type-written copies of the fee and salary bill now pending in the House, and that the secretary be authorized to draw a warrant therefor.

The resolution was adopted.

Senator Yaryan introduced Senate Bill No. 363, entitled:

A bill for an act for the relief of Samuel Williams, ex-Trustee of New Garden Township, Wayne County, Indiana.

Read the first time and referred to the Committee on County and Township Business.

Senator Yaryan also introduced Senate Bill No. 364, entitled:

A bill for an act to enforce compulsory education in common schools, fixing penalties for violating the orders thereof, for the appointment and compensation of truant officers and their pay, and to prevent the employment at labor of children under fourteen years of age, except as herein provided.

Read the first time and referred to the Committee on Education.

Senator Shanks introduced Senate Bill No. 365, entitled :

A bill for an act concerning the construction and repair of gravel and macadamized roads in counties containing a population of sixty-five thousand and more, according to the census of the United States for A. D. 1890, and declaring an emergency.

Read the first time and referred to the Committee on Roads.

Senator Shanks also introduced Senate Bill No. 366, entitled :

A bill for an act for a general system of road construction and improvement, and repealing laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Roads.

Senator Shanks, chairman of the Committee on Roads, made the following report on Senate Bill No. 280 :

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 280, introduced by Senator Sweeney, have had the said bill under consideration and in reporting same back respectfully recommend that it be indefinitely postponed.

The report of the committee was concurred in.

Senator Shanks, chairman of the Committee on Roads, made the following report on Senate Bill No. 360 :

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 360, introduced by Senator Shanks, have had the said bill under consideration and beg leave to report same back with the recommendation that it do pass.

SHANKS,
Chairman:

Senator Jackson, chairman of the Committee on County and Township Business, made the following report on Senate Bill No. 339:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 339, report the same back with the recommendation that the bill do pass.

JACKSON,
Chairman.

Senator Caster offered the following petition:

MUNICIPAL SUFFRAGE PETITION.

To the Honorable Senate and House of Representatives of Indiana:

We, the undersigned citizens of Indiana, county of Boone, town of Zionsville, respectfully petition your Honorable Body to enact a law granting to women municipal suffrage.

[Signed,]

JOHN M. MILLS,
E. S. CROPPER,
H. S. ANDERSON,
And others.

Referred to Committee on Cities and Towns.

Senator Hudson, chairman of the Committee on Labor, made the following report on Engrossed House Bill No. 42:

MR. PRESIDENT:

Your Committee on Labor and Labor Statistics, to whom was referred Engrossed House Bill No. 42, introduced by Representative Thienes, beg leave to report that they have considered said bill and recommend that the same do pass.

O. Z. HUBBELL,
E. W. SHANKS,
DAN FOLEY,
J. D. MORGAN,
G. H. THOMPSON,
GEO. W. HOBSON,
HENRY T. HUDSON

Senators Byrd, Chandler, Hobson and Carver, members of the Committee on Benevolent Institutions, were granted leave of absence for to-day.

Senators Burke, Holland and Hays were granted leave of absence to attend a meeting of the Bar.

The following majority report was submitted on Engrossed House Bill No. 454:

MR. PRESIDENT:

A majority of your Committee on Labor and Labor Statistics, to which was referred Engrossed House Bill No. 454, beg leave to report that in their opinion said bill should be considered by the Judiciary Committee and recommend that it be referred to that committee.

E. W. SHANKS,
O. Z. HUBBELL,
J. D. MORGAN,
G. H. THOMPSON,
GEO. W. HOBSON.

The following minority report was also submitted on Engrossed House Bill No. 454:

MR. PRESIDENT:

We, the undersigned members of the Committee on Labor and Labor Statistics, to whom was referred Engrossed House Bill No. 454, introduced by Representative Inman, beg leave to report the same back with the recommendation that the bill do pass.

HENRY T. HUDSON,
DANIEL FOLEY.

Senator Magee moved that the minority report of the committee be concurred in.

Senator Fulk moved to amend Senator Magee's motion by substituting the majority for the minority report.

Senator Shockney moved to reject the amendment of Senator Fulk.

The ayes and noes were demanded by Senators Fulk and Chandler.

The roll was called, which resulted as follows

Those voting in the affirmative were :

Senators Carver, Caster, Ellison, Foley, Grose, Harlan, Hudson Jones, Kennedy, Mount, Shockney, Thompson of Marion, Thompson of Pulaski. Total, 13.

Those voting in the negative were :

Senators Akin, Boyd, Chandler, Clemans, Francis, French, Fulk, Gilman, Griffith, Grimes, Hayden, Holcomb, Hubbell, Kerth, Kopelke, Loveland, McHugh, Morgan, Shanks, Smith, Sweeney, Thompson of Huntington, Wiggs and Yaryan. Total, 24.

So the motion to reject failed of adoption.

Upon the subject matter the following pairs were announced :

Senators Magee and Holland, and Howard and Burke.

Senators Magee and Howard would have voted aye and Senators Burke and Holland would have voted no.

Senator Loveland offered the following motion and moved its adoption :

MR. PRESIDENT:

I move to so amend the motion to adopt the majority report on House Bill No. 454, as to require the Committee on Judiciary to re-report the same back to the Senate on Tuesday next and to cause the bill and the committee's report to be immediately printed, so that the printed copies shall be laid upon the desks of Senators on Tuesday afternoon.

The motion prevailed.

The question recurring on Senator Fulk's motion, as amended.

The ayes and noes being demanded.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Carver, Caster, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Holcomb, Hubbell, Hudson, Jones, Kennedy, Kerth, Kopelke,

Loveland, McHugh, Morgan, Moore, Mount, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 84.

No Senator voting in the negative.

. So the majority report, as amended, was adopted and the bill ordered printed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has adopted a resolution requesting the return of House Bill No. 560, that the House may reconsider the vote by which it passed that body, and said resolution is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

MR. SPEAKER:

I move that the Senate be requested to return to this House, for the purpose of reconsidering the vote by which it passed, House Bill No. 560.

JOHN T. BEASLEY.

On motion of Senator Loveland the request of the House was granted.

Senator Grimes, Chairman of the Committee on Education, made the following report on Engrossed House Bill No. 558:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Engrossed House Bill No. 558, do report that the committee has had the bill under consideration, and recommend its passage.

GRIMES,
Chairman.

Senator Hayden, Chairman of Committee on Banks and Banking, made the following report on Senate Bill No. 351:

MR. PRESIDENT:

Your Committee on Banks and Banking, to whom was referred Senate Bill No. 351, introduced by Senator Hubbell, by request, beg leave to report that they have had said bill under consideration, and recommend that said bill be printed.

Senator Hayden, Chairman of Committee on Banks and Banking, also made the following report on Senate Bill No. 194:

MR. PRESIDENT:

Your Committee on Banks and Banking, to whom was referred Senate Bill No. 194, introduced by Senator Hubbell, by request, beg leave to report that they have had the same under consideration, and recommend that said bill be indefinitely postponed.

The report of the committee was concurred in.

Senator Hayden, chairman of Committee on Banks and Banking, also made the following report on Senate Bill No. 316:

MR. PRESIDENT:

Your Committee on Banks and Banking, to whom was referred Senate Bill No. 316, introduced by Senator Hubbell, by request, beg leave to report that they have had the same under consideration, and recommend that the said bill be printed.

Senator Grimes, Chairman of the Committee on Education, presented the following report on Senate Bill No. 347:

MR. PRESIDENT:

We, the undersigned, members of your Committee on Education, having considered Senate Bill No. 347, introduced by Senator Gilman, recommend that the same do pass.

ANDREW GRIMES,
Chairman.

JOHN YARYAN,
H. B. SMITH,
R. A. FULK,
JOHN F. MCHUGH,
THEODORE SHOCKNEY,
MORGAN CHANDLER.

Senator Kerth, chairman of the Committee on Cities and Towns, made the following report on Senate Bill No. 351:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 351, introduced by Senator Magee, beg leave to report that they have had said bill under consideration, and recommend that the same do pass.

KERTH,
Chairman.

Senator Kerth, Chairman of the Committee on Cities and Towns, made the following report on Engrossed House Bill No. 570:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 570, introduced by Representative Nolan, having had the same under consideration, beg leave to report the same back, with the recommendation that the same do pass.

KERTH,
Chairman.

The report of the committee was concurred in.

Senator Howard, Chairman of the Committee on Swamp Lands, made the following report on Senate Bill No. 327:

MR. PRESIDENT:

Your Committee on Swamp Lands, to which was referred Senate Bill No. 327, having considered the same, recommend that the bill do pass.

Senator Howard, Chairman of Committee on Swamp Lands, also made the following report on Senate Bill No. 328:

MR. PRESIDENT:

Your Committee on Swamp Lands, to whom was referred Senate Bill No. 328, introduced by Senator Hays, recommend that the same do pass.

Senator Kopelke, Chairman of the Committee on Temperance, offered the following report on Senate Bill No. 265 :

MR. PRESIDENT :

Your Committee on Temperance, to whom was referred Senate Bill No. 265, introduced by Senator Griffith, beg leave to report the same back, with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Senator Kopelke, chairman of the same committee, also offered the following report on Senate Bill No. 169 :

MR. PRESIDENT :

Your Committee on Temperance, to whom was referred Senate Bill No. 169, introduced by Senator Hobson, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Senator Magee, Chairman of the Committee on Finance, presented the following report :

MR. PRESIDENT :

Your Committee on Finance, having in joint session with the Committee on Ways and Means of the House, considered Senate Bill No. 258, introduced by Senator Howard ; House Bill No. 479, introduced by Mr. Beasley ; House Bill No. 487, introduced by Mr. Oppenheim ; House Bill No. 489, introduced by Mr. Cullop, and other bills introduced into both Houses on the subject of taxation, do recommend that Senate Bill No. 258 be amended by striking out all after the enacting clause and insert the following (h. i.), and amend the title to read as follows : "A bill for an act concerning taxation," and that when so amended the bill do pass.

MAGEE,
Chairman.

Senate bill No. 258, entitled :

A bill for an act concerning taxation :

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana,* That the revenue for the support of the government of the State shall be derived from the "State General

Fund," hereinafter provided for, and from such further taxes as shall be assessed on polls and on property listed and valued in an equal and ratable proportion (except such stocks and other property as may be specifically taxed) in the following manner, namely: The amount necessary and proper to be charged on each poll, and on each hundred dollars worth of property for State expenditures and for school purposes, shall, from time to time, be fixed by law; and the amount to be charged on each poll and on each one hundred dollars worth of property for county expenditures shall be determined by the Board of County Commissioners at their annual meeting in September.

SEC. 2. A poll-tax shall be assessed upon every male inhabitant of this State, between the ages of twenty-one and fifty years, and every person shall be listed for his poll-tax in the township, town, or city of his residence.

SEC. 3. All property within the jurisdiction of this State, not expressly exempted, shall be subject to taxation.

SEC. 4. For the purpose of taxation, real property shall include all lands within the State, and all buildings and fixtures thereon, and appurtenances thereto, except in cases otherwise expressly provided by law; personal property shall include all goods and chattel within the State, all ships, boats and vessels belonging to inhabitants of this State, whether at home or abroad, and their appurtenances; all goods, chattels and effects belonging to inhabitants of this State, situate without this State, except that property actually and permanently invested in business in another State shall not be included; all indebtedness due to inhabitants of this State above the amounts respectively owed by them, whether such indebtedness is due from individuals or from corporations, public or private, and whether such debtors reside within or without the State; all shares in corporations organized under the laws of this State, when the property of such corporation is not exempt or is not taxable to the corporation itself; all shares in banks organized in this State under any law of the United States, but in estimating the value of such shares, deduction shall be made of the value of all real estate taxed to the bank; all shares in foreign corporations, except National banks, owned by inhabitants of this State; all moneys, all annuities and royalties; all interests owned by individuals in lands, the fee of which is in

this State or in the United States, except as is hereinafter provided. Property exempted from taxation by the laws of the United States shall not be included. Shares in corporations, all the property of which is taxable to the corporation itself, shall not be assessed to the shareholder. Lands sold by the State, including lands forfeited to the sinking fund, university fund, and all other trust funds, though not granted or conveyed, shall be assessed in the same manner as if actually conveyed. All lands reserved to or for any individual by any treaty between the United States and any Indian tribe or nation, shall be liable to taxation from the time such treaty shall have been confirmed.

SEC. 5. The following property shall be exempt from taxation.

First. The property of the United States and of this State.

Second. The property of any county, city, town or township.

Third. All lands granted for the use of the common schools, so long as the same shall remain unsold.

Fourth. The personal property and real estate of every manual labor school or college incorporated within this State, when used or occupied for the purpose for which it was incorporated, such real estate not to exceed three hundred and twenty acres.

Fifth. Every building used and set apart for educational, literary, scientific or charitable purposes, by any institution, or by any individual or individuals, association or incorporation, or used for the same purpose by any town, township, city or county, and the tract of land on which such building is situate; also the lands purchased with the *bona fide* intention of erecting buildings for such use thereon, not exceeding forty acres; also the personal property, endowment funds and interest thereon, belonging to any institution, town, township, city or county, and connected with, used or set apart for any of the purposes aforesaid.

Sixth. Every building used for religious worship, and the pews and furniture within the same, and also the parsonage attached thereto and occupied as such, and the land whereon said building or buildings are situate, not exceeding ten acres, when owned by a church or religious society, or in trust for its use; also every cemetery.

SEC. 6. If all or any part, parcel or portion of any tract or lot of land, or any buildings or personal property enumerated in the preceding section as exempt from taxation, shall be used or occupied for any other purpose or purposes than those recited in said section, by reason whereof they are exempted from taxation, such property, part, parcel or portion shall be subject to taxation so long as the same shall not be set apart or used exclusively for some one of the purposes specified in said enumeration.

SEC. 7. In all cases where buildings or personal property shall be destroyed, in whole or in part, by unavoidable casualty, after being assessed for the year, and such loss is not covered by insurance, the County Auditor shall, upon sworn proof of such loss, allow a rebate of such proportion of the taxes for that year as that part of the year which shall remain, after such destruction, bears to the whole year.

SEC. 8. Personal property shall be listed for taxation between the 1st day of April and the 1st day of June each year, and with reference to the quantity held or owned on the 1st day of April, in the year for which the property is required to be listed.

SEC. 9. The person purchasing or acquiring property, whether real or personal, on the 1st day of April, in any year, shall be considered as the owner on that day, and shall be assessed and liable for the taxes for that year.

SEC. 10. If a person die after the 1st day of April, in any year, without having given in the amount of his taxables, his executor or administrator, heir at law, or other person having charge thereof, shall give in the same as though such property had been in his possession on the 1st day of April of such year.

SEC. 11. All personal property shall be assessed to the owner in the township, town or city of which he is an inhabitant, on the first day of April of the year for which the assessment is made, with the following exceptions:

First. All goods and chattels situated in some township, town or city, other than where the owner resides, shall be assessed in the township, town or city where situated, and not elsewhere, if the owner or person having control thereof hires

or occupies a store, mill, dock-yard, piling ground, place for sale of property, shop, office, mine, farm, place of storage, manufactory or warehouse therein, for use in connection with such goods and chattels: *Provided*, That the procuring any such property to be manufactured upon contract shall be deemed the hiring of a mill or manufactory within the meaning of this section.

Second. All animals kept throughout the year in some township, town or city other than where the owner resides, shall be assessed to such owner, or the person in possession in the township, town or city where kept.

Third. All shares in banks shall be assessed to their owners in the city or town where the bank is located.

Fourth. Personal property of non-residents of the State shall be assessed to the owner, or to the person having the control thereof in the township, town or city where the same may be, except that where such property is in transit to some place within the State it shall be assessed in such place.

Fifth. The personal property of minors under guardian shall be assessed to the guardian in the township, town or city where the guardian resides, and the personal property of every other person under guardianship shall be assessed to the guardian in the township, town or city where the ward resides.

Sixth. The personal property of the estates of deceased persons in the hands of executors, administrators or other persons shall be assessed to the persons in charge of such property in the township, town or city where the deceased last dwelt, until such property has been distributed to the heirs or other persons entitled thereto. If such decedent was a non-resident of the State, such property shall be assessed in the township, town or city where situated.

Seventh. Personal property under the control of a trustee or agent, whether a corporation or natural person, may be assessed to such trustee or agent, except as otherwise by law provided, in the township, town or city in which such trustee or agent resides.

Eighth. All personal property of any person situate upon, also all buildings situate and being upon the land of the United

States, or of this State, or upon the lands of any county, township, town or city, shall be deemed personal property for purpose of taxation and assessment, and shall be assessed as personal property to the owner or occupant thereof, in the township, town or city to which said lands belong or of which they form a part, and such buildings shall be subject to sale for taxes in the same manner as herein provided for personal property: *Provided, however,* It shall not be necessary to remove such buildings for the purpose of sale.

SEC. 12. All corporate property, including capital stock and franchises, except where some other provision is made by law, shall be assessed to the corporation as to a natural person in the name of the corporation. The place where its principal office in this State is situated shall be deemed its residence, but if there be no principal office in the State then such property shall be listed and taxed at any place in the State where the corporation transacts business.

SEC. 13. For the purpose of assessing property and collecting taxes, a co-partnership shall be treated as an individual, and whenever the name of the owner or occupant of property is required to be entered upon the tax duplicate, if such property is owned or occupied by a co-partnership, the firm name may be used. A co-partnership shall be deemed to reside in the township, town or city where its business is principally carried on. Each partner shall be liable for the whole tax.

SEC. 14. Personal property in transitu shall be listed and assessed in the township, town or city where the owner resides: *Provided,* That if such property is intended for a particular business it shall be listed and assessed at the place where the property of such business is required to be listed and assessed.

SEC. 15. All persons, companies and corporations in this State owning or controlling steamboats, sailing vessels, wharfbots, barge and other water craft, shall be required to list the same for assessment and taxation in the county, township, town or city in which the same may belong, or be enrolled, licensed or registered, or kept when not enrolled, licensed or registered.

SEC. 16. The personal property of banks or bankers, corporate or unincorporated, brokers, stock jobbers, insurance companies, hotels, livery stables, saloons, eating houses, ferries,

and mining companies, and all companies, except companies specially provided for in this act, shall be listed and assessed in the township, town or city where such personal property is situated.

SEC. 17. The personal property of gas and coke companies, natural gas companies, electric light companies, water works companies, and hydraulic companies, shall be listed and assessed in the township, town or city where the principal works are located; the mains, pipes and wires of such companies laid in or along roads, streets or alleys, shall be listed as personal property in the township, city or town where the same are laid or placed.

SEC. 18. The personal property of street railroad, plank road, gravel road, turnpike or bridge companies shall be listed and assessed in the township, city or town where the principal place of business is located. The track, road or bridge of such company shall be held to be personal property, and shall be listed and assessed in the township, town or city where the same is located or laid.

SEC. 19. Persons required to list property on behalf of others shall list it separately from their own, specifying in such case, the name of the person, estate, company or corporation to whom it belongs.

SEC. 20. The personal property of persons removing from one county, township, town or city to another, between the first day of April and and first day of June, in any year, shall be listed and assessed in either place in which the owner is first called upon by the Assessor. The owner of personal property moving into this State from another State between the first day of April and the first day of June, in any year, shall be listed for his poll and the property owned by him on the first day of April of such year, in the county, township, town or city into which he has so removed: *Provided*, That if such person has been assessed, and shall make it appear to the Assessor by the certificate of the proper authority in the place of his former residence that he is held for tax for the current year in such former place of residence, he shall not again be assessed for such year. In case of doubt as to the proper place to assess personal property, if the doubt arises as to the different townships in the

county, the Auditor shall determine the place; and if the doubt arises as to different counties, the Auditor of State shall determine; such determination shall be summary and final.

SEC. 21. Real property shall be assessed in the place where situated, and to the owner, if known; if not, then to the occupant, if any; and if there be no occupant, then as unknown. Property in the control of an executor, administrator, guardian or trustee, shall be assessed to such executor, administrator, guardian or trustee.

SEC. 22. When real estate is exempt from taxation in the hands of the holder of the fee, and the same is contracted to be sold, the amount paid thereon by the purchaser, with the value of improvements thereon, until the fee is conveyed, shall be held to be personal property, and be listed and assessed as such in the place where the land is situated.

SEC. 23. The stock of nurseries, growing or otherwise, in the hands of nurserymen, shall be listed and assessed as merchandise.

SEC. 24. When the deed for real estate is held for the payment of a sum of money, such sum so secured shall be held to be personal property, and shall be listed and assessed as credits.

SEC. 25. Every franchise granted by any law of this State, owned or used by any person or corporation, and every franchise or privilege used or enjoyed by any person or corporation, shall be listed and assessed as personal property.

SEC. 26. When bonds or stocks are now, or may hereafter be, exempted from taxation, the accrued interest on such bonds or dividends on such stocks shall be listed and assessed, unless otherwise exempted, without regard to the time when the same is to be paid.

SEC. 27. When personal property is mortgaged or pledged, it shall, for the purpose of taxation, be deemed the property of the person who has the same in possession.

SEC. 28. In cases of mortgaged real estate, the mortgagor shall, for the purpose of taxation, be deemed the owner until the mortgagee shall have taken possession of the mortgaged premises, after which the mortgagee shall be deemed the owner.

SEC. 29 In all cases of mortgaged property, whether real or personal, the amount due and secured by the mortgage shall be assessed as personal property against the mortgagee.

SEC. 30. Every person who shall own or have in possession, or subject to his control, any personal property within this State, with authority to sell the same, which shall have been purchased, either in or out of this State, with a view of being sold at an advanced price or profit, or which shall have been consigned to him from any place out of this State, for the purpose of being sold at any place within this State, shall be held to be a merchant; and at any time when he shall be, in pursuance of this act, required to make out and deliver to the Assessor a statement of his other personal property, he shall in like manner make a statement of, and list as merchandise all property held or owned by him appertaining to his business as a merchant, and, in addition thereto, attest, on oath or affirmation, the true cash value of all such property appertaining to his business as a merchant, including with amount on hand, in actual possession, all amounts purchased, with a view to possession or profit.

SEC. 31. Every person who shall purchase, receive or hold personal property of any description for the purpose of adding to the value thereof, by any process of manufacturing, refining, rectifying, or by the combination of different materials, with a view of making a gain or profit by so doing, shall be held to be a manufacturer, and he shall at all times, when by virtue of this act he is required to, make and deliver to the Assessor, a statement of the amount or value of his other personal property subject to taxation; also, in like manner, state the value estimated, as provided in the preceding section, of all articles purchased, received or otherwise held for the purpose of being used, in whole or in part, in any process or operation of manufacturing, combining, rectifying, or refining, including the value of all manufactured articles on hand in actual possession or elsewhere held for sale, and in addition thereto attest on oath the true cash value of all such property appertaining to his business as a manufacturer, including manufactured articles.

SEC. 32. Whenever, at any time during any year, any transient person shall locate in any township, city, town or village,

and shall offer to sell or otherwise dispose of any books or other goods, wares or merchandise, under the name of a gift book store or any other name or designation, it shall be the duty of the proper Assessor, for the time being, of the place where such person shall locate, forthwith to call upon such person and demand of him the true value in money of all his stock in trade; and in case such person shall neglect or refuse to return the same under oath, within twenty-four hours after such demand, then it shall be the duty of said Assessor to determine the same, as in other cases; and in either case he shall forthwith return such valuation to the Auditor of the county, who shall cause the same to be entered at once on the tax duplicate and collected.

SEC. 33. Every person owning a manufacturing establishment of any kind, and every manufacturer, shall list as a part of his personal property the value of all engines and machinery of every description, used or designed to be used in any process of refining or manufacturing (except such fixtures as shall have been considered as a part of any tract or real property), including all the tools and implements of every kind used for the purpose aforesaid.

SEC. 34. Every person or company engaged in the business of receiving property in pledge, or as security for money or other thing advanced to pawn or pledge, shall be held to be a pawnbroker, and shall, at the time required by this act, return under oath the value of all property pledged and held by him as a pawnbroker on hand on the first day of April annually, and taxes shall be charged upon the true cash value of such property to such pawnbroker, the same as other property.

SEC. 35. For the purpose of properly listing and assessing property for taxation and equalizing and collecting taxes, the Township Assessor, County Assessor, County Auditor, Auditor of State, Boards of Review, and Board of Tax Commissioners shall each have the right to inspect and examine the records of all public offices, and the books and papers of all corporations and taxpayers in this State, without charges; and they shall also have power to administer all necessary oaths or affirmations in the discharge of their duties; and it shall be the duty of all Assessors, and all other officers charged with the duty of listing property for taxation, or charged with the duty of collecting

taxes, to give in writing all information they may acquire in reference to the concealment of property from taxation by any person or corporation before mentioned to the County Auditor, Auditor of State, or to the Boards of Review or Equalization aforesaid.

SEC. 36. When real estate which is exempt from taxation, is leased to another whose property is not exempt, and the leasing of which does not make the real estate taxable, the leasehold estate and the appurtenances shall be listed as the property of the lessee thereof or his assignee, as real estate.

SEC. 37. Government lands, canal lands, university and school lands, purchased prior to the first day of April shall be taxable for that year and annually thereafter. All school lands heretofore or hereafter sold, shall be taxable from and after the sale and delivery of the certificate.

SEC. 38. All mills, manufactories, warehouses and other structures, with appurtenances and fixtures erected or placed upon any lands leased by the Board of Trustees of the Wabash and Erie Canal, shall be assessed to the lessees of such lands or their assigns, in possession of and occupying the same, but the lands or lots on which such mills, manufactories, warehouses or other structure are situate, shall be assessed to the owners thereof, and all locks, lands, dams, feeders, mill sites and water power and canal bed, with land appurtenant thereto, shall be assessed to the owners of said Wabash and Erie Canal, and for the purpose of valuation, the entire property in any township shall be considered as an entirety, and shall be described in the assessment and in the tax duplicate as "The Wabash and Erie Canal." All the above described property shall be taxable from and after the sale of said property under the decree of the United States Circuit Court in the case of Thomas K. Gapen v. Thomas Dowling et al. Nothing herein contained shall, in any way, prevent or interfere with the assessment of so much of said property as may lie in any city or town, by the city or town authorities, for taxation for municipal purposes.

SEC. 39. The individual real estate of any deceased person, not in control of an executor or administrator, may be listed to the heirs or devisees of such person, without designating any of the heirs or devisees by name until they shall have given

notice to the Auditor of the county or counties in which such real estate is situated, of the division of the same, and the names of the several heirs or devisees, and the proportions allotted to each, and each heir or devisee shall be liable for the whole of such tax, and shall have a right to recover of the other heirs or devisees their respective proportions thereof when paid by him, and interest thereon, and the lien for the proportion of taxes paid on the different shares of the land shall rest in the person who pays the taxes.

SEC. 40. Whenever a division or partition has been made, or other changes take place in the ownership of any tract or lot of land, or any part thereof, by conveyance, sale, devise, or descent, the County Auditor, on being satisfied thereof, shall transfer the same on the last appraisalment list, and apportion the same, and the valuation thereof, with all delinquent taxes, to the several owners.

SEC. 41. Lands occupied by any person not the owner thereof shall be listed in the name of the owner, if known, otherwise as the lands of unknown owners; and, for taxes, if paid by any occupant, he shall have his action against the owner, and a lien upon such lands until the same, with interest, is repaid to him.

SEC. 42. When the lines between two townships divides a tract of land surveyed differently from the congressional surveys, it listed to the owner thereof, he being a resident of either township in which a part of such tract of land may lie, or if listed to the occupant under the preceding section of this act, the same shall be listed in the township in which such owner or occupant shall reside; and in all other cases, the same shall be listed in the township in which the greater part thereof lies.

SEC. 43. Whenever the real estate to be listed and assessed can not be described by a congressional subdivision, or by the number of lots or plat, the same shall be sufficiently described for the purpose of listing, assessing, collecting the tax thereon, and conveying the title thereto, when the same is sold for the non-payment of taxes, by reference to any sufficient and intelligible description of such land or lot in the deed, mortgage, will, or other public record of the county, substantially in the following manner, the number of acres, book and page, and place being changed to suit each particular case:

"Fifty acres in survey No. 158 of Clark's grant, as described in deed book 64, page 219, of the Recorder's office of Clark County," and when no sufficient and intelligible description of such real estate can be obtained for such reference by the Assessor or other officer listing such land, from the owner or public records of the county, such officer shall cause the County Surveyor to survey and plat such land and furnish him with such description, and a reference to such description in such survey, substantially in the following manner, shall be sufficient description of such land for the purpose above mentioned:

"Fifty acres in Survey No. 100 of Clark's grant, as designated on the plat thereof made by the County Surveyor on the day of, 18...."

The costs of such survey shall be entered by the Auditor on the tax duplicate, and collected as a part of the tax on said land. It shall be sufficient to describe the real property assessed in the manner heretofore in use by initials, letters, abbreviations and figures.

SEC. 44. Whenever any tract of land has been platted into lots or subdivisions the description of any such lot or subdivisions by reference to its number on said plat, and the number or designation of the plat, shall be a good, valid and sufficient description thereof, for the purpose of listing, assessing, collecting the tax thereon and conveying the title thereto, when sold for the non-payment of taxes.

SEC. 45. In entering personal property upon the proper tax books for the purpose of taxation, it shall be a sufficient description of the same to use the word "personal property," and such phrase shall comprehend and embrace all species of personal property belonging to the party charged therewith on the tax books, and no more specific description or designation thereof shall be necessary.

SEC. 46. Any person who, being called upon to list property, either on his own account or for others, subject to taxation, claims to have none, shall be required by the Assessor or other proper officer to make oath in writing to the truth of his claim in that behalf, and proper blank forms for such affidavit shall be provided, and such person shall be subject to the pains and penalties of perjury for false oath.

SEC. 47. The word "person," as used in this act, shall be held to include and mean "firm," "company," "association," or "corporation."

SEC. 48. The Assessor shall list every dog over the age of six months within his township to the person owning, keeping or harboring the same, and such person shall be charged on the duplicate one dollar if a male, and two dollars if a female dog, and the further sum of two dollars for each additional dog beyond one, which amount so charged shall be carried to the column of total amounts and collected as other taxes are collected.

SEC. 49. On the first day of April of each year, or as soon thereafter as practicable, and before the first day of June, the Assessor shall call upon each person required by this act to be assessed, and furnish him or her with the proper blanks for the purpose, and thereupon such person shall make to such Assessor a full and correct description of all the property, real and personal, of which such person was the owner on the first day of April of the current year, and such person shall also, at the same time, make separate, full and true statements in like manner, in writing, distinctly setting forth in each a correct description of all the real and personal property held, possessed or controlled by him as executor, administrator, guardian, trustee, receiver, partner, agent, attorney, president or accounting officer of a corporation, consignee, pawnbroker, or in any representative or fiduciary capacity, and he shall affix what he deems the true cash value thereof to each item of property for the guidance of such Assessor, who shall determine and settle the value of each item, after examination of such statement, and also an examination under oath of the party or of any other person, if he deems it necessary. In determining and settling such valuation, he shall be governed by what is the true cash value, such being the market or usual selling price at the place where the property shall be at the time of its liability to assessment, and if there is no market value, then the actual value. In making the valuation, annuities and royalties shall be valued at their present cash value. For the purpose of making such statements he shall receive proper blanks from the Assessor.

SEC. 50. The person called upon or required by the Assessor to list property shall answer in writing, under his signature,

the following interrogatories, under oath, upon the proper blank form thereof, to be furnished him by the Assessor, who shall also administer the oath :

Interrogatory One. Are you or were you, on the first day of April, of the present year, the executor of the last will, or the administrator of the estate of any deceased person, or the guardian of the estate of any infant or person of unsound mind or the Trustee of the property of any person, or the receiver of any corporation, association or firm, or the agent or attorney investigating, loaning or otherwise controlling the money or other property of any other person, resident in this State, or the president or accounting officer of any corporation, or a partner, consignee or pawnbroker? If yes, designate for whom you were then or are now acting in such representative or fiduciary capacity, and if you were, or are now, acting under the authority of any particular Court, name the Court, and also state what Court you report.

Interrogatory Two. Have you, before the 1st day of April of the present year, either personally or through the agency of others, caused all or any part of your taxable money or other property to be temporarily converted, either by sale, borrowing, exchange or in any other manner, into United States notes not taxable, commonly called "greenbacks," or bonds or other securities of the United States not taxable, or any other property not taxable, with the intention to pay back, return or exchange, or sell back such property after you have made out your tax statement for the purpose of evading the payment of taxes on such property; or did you, on or after the 1st day of April of the present year, and before you saw this interrogatory, pay back, return or re-exchange or sell back such property for the purpose aforesaid?

Interrogative Three. If you have converted any of your money or property as inquired of you, then state when the same was so converted or invested, and the kind and the amount or value thereof.

A space shall be left on the blank under each interrogatory for the answer to the same.

SEC. 51. Every person required by this act to make or deliver such statement or schedule, shall set forth an account of the property held or owned by him, as follows :

REAL PROPERTY.

An accurate description of each parcel of land, with the number of acres improved and the number and kind of buildings thereon.

PERSONAL PROPERTY—CREDITS.

First. All annuities and royalties.

Second. All bonds, notes, mortgages, accounts, demands, claims and other indebtedness owing to such person, whether such indebtedness is due from individuals or from corporations, public or private, and whether such debtors reside within or without the State, including all deposits in banks, or with other corporations, or with individuals.

Third. All *bona fide* indebtedness owing by such person, giving an itemized statement in detail and the names of the creditors and their residence, and the amount due each, and the nature of the security. No indebtedness not thus itemized in detail shall be deducted from credits, but the credits, in default of such detailed statement of indebtedness, shall be assessed in full.

PERSONAL PROPERTY—CHATELS.

First. All shares in banks organized in this State under any law of this State, or of the United States, and their full market value, after deducting the value of the real estate, as taxed to the banks.

Second. All shares in foreign corporations, other than banks, and their value.

Third. All shares in other corporations organized under the laws of this State, when the property of such corporation is not exempt by some law, or is not taxable to the corporation itself, and the cash value of such shares.

Fourth. All moneys.

Fifth. The value of all gold and silver plate, watches, diamonds and jewelry.

Sixth. The value of all household furniture and musical instruments over and above exemptions.

Seventh. All patent rights, describing them and giving the number of each patent, and the value of each.

Eighth. The number and kinds of domestic animals and their value.

Ninth. All wagons, carriages and sleighs, and their value.

Tenth. All mechanical, agricultural implements and tools, and their value.

Eleventh. All machinery not affixed to real property, and its value.

Twelfth. All ships, boats and vessels, whether at home or abroad, and their value.

Thirteenth. All merchandise and stock in trade, and its value.

Fourteenth. All logs, timber, lumber, posts, ties, cord-wood, staves, or other felled or cut timber, and the value.

Fifteenth. All other goods, chattels and personal property not hereinbefore specifically mentioned, and their value, except property specifically exempt from taxation.

SEC. 52. In every case where any person shall neglect or refuse to make out and deliver a sworn statement of his property to the Assessor, as required by this act, or, if the Assessor shall be in doubt whether such statement is correct, such Assessor is hereby authorized and required to examine, on oath, any other person whom he believes to have knowledge of the amount or value of any property owned or held by such person so neglecting or refusing, and such Assessor is authorized to set down and assess to such person such amount of personal property as he may deem just.

SEC. 53. Whenever, from the answer to the second interrogatory on the schedule, and from the evidence before him, the Assessor is satisfied that the person required to list his property has, since the first day of April of the preceding year, temporarily converted any part of his property into property not taxable, for the purpose of preventing such property from being listed, and of evading the payment of taxes thereon, such Assessor shall cause such property to be assessed at its true cash value.

SEC. 54. Before the first day of April of each year, the

County Auditor shall have in readiness for delivery to the Assessor the proper assessment books and necessary blanks for the assessment of all property, real and personal. The schedule, with affidavits thereto attached, to be signed by the party, shall be in the following form, the names and places being changed to suit each person, and if desired by the Chief of the Bureau of Statistics, the blanks shall also contain the statistical matters required by him to be answered. The words "value," "cash value," "true value," or "valuation," whenever used in this act, shall be held to mean the usual selling price at the place where the property to which such term or terms are applied shall be at the time of assessment, being the price which could be obtained therefor at private sale, and not at forced or auction sale. The party shall write the word "none" after each item, whenever he has no property to assess as named in such item, and no item shall be passed without being answered.

SCHEDULE

Of all property held by..... of
Township, County, Ind., on the first day
of April, 189...

REAL ESTATE.

Number.	DESCRIPTION OF PROPERTY.	Valuation by Party.	Valuation by Assessor
1
2
3
4
5
6
7
8

PERSONAL PROPERTY—CREDITS.

Number.	DESCRIPTION OF PROPERTY.	Valuation by Party.	Valuation by Assess'r
1	All immunities.....\$——	.....	.....
2	All bonds.....\$——	.....	.....
3	All notes secured by mortgage.....\$——	.....	.....
4	All other notes.....\$——	.....	.....
5	All accounts.....\$——	.....	.....
6	All demands and claims.....\$——	.....	.....
7	All deposits in banks.....\$——	.....	.....
8	All deposits with other corporations.\$——	.....	.....
9	All deposits with individuals.....\$——	.....	.....
10	All other amounts due me from any person or corporation.....\$——	.....	.....
	<hr/>	<hr/>	<hr/>
	Total credits due me.....\$——	.....	.....
	From the sum of the above credits I claim a deduction of the amount of my <i>bona fide</i> indebtedness, as follows:		
1	I am indebted to.....	.....	.....
	who resides in.....in.....	.....	.....
	County, in the State of.....	.....	.....
	in the sums following:		
	On account.....\$——	.....	.....
	On notes secured by mortgage.....\$——	.....	.....
	On other notes.....\$——	.....	.....
	Money deposited with me by him....\$——	.....	.....

Number.	DESCRIPTION OF PROPERTY.	Valuation by Party.	Valuation by Assess'r.
2	I am also indebted to, who resides in County, State of, in the sums following (to be itemized in full as above)		
8	I am also indebted to		
4	.....	
5	.....	
6	.....	
7	.....	
	Total indebtedness which should be de- ducted from my credits \$..... Leaving balance for which I should be assessed.....		

PERSONAL PROPERTY—CHATTELS.

1	Money on hand or subject to my order not already entered under title of "credits".....		
2	All money loaned by me and not already entered on this schedule.....		
8	All interest due me not entered on this schedule		
4	All judgments or allowances in my favor, entered in any Court, and which I have not already entered on this schedule ; also all legacies, bequests and other estates in expectancy		

Number.	DESCRIPTION OF PROPERTY.	Valuation by Party.	Valuation by Assess'r.
5	All shares of stock in any corporation formed outside of this State; and also all shares of stock in any corporation formed in this State, and conducting its business outside of this State		
6	Value of goods and merchandise on hand.....		
7	Value of all articles purchased, received or otherwise held for the purpose of being used in whole or in part, in any process or operation of manufacturing, combining, rectifying or refining.....		
8	Value of manufactured articles on hand.....		
9	Value of manufacturing tools, implements and machinery (other than engines and boilers, which shall be listed as such)		
10	Value of agricultural tools, implements and machinery		
11	Value of gold or silver plate and plated-ware.....		
12	Value of diamonds and jewelry		
13	Value of household furniture and library (except amount exempted by this act).....		
14	Value of mechanical tools, law and medical books, surgical instruments and medicines.....		

Number.	DESCRIPTION OF PROPERTY.	Valuation by Party.	Valuation by Assess'r
15	Value of nursery stock .....	.....	.....
16	Value of property such person is required to list as pawnbroker.....	.....	.....
17	Value of property of companies and corpo- rations other than property hereinbefore enumerated .....	.....	.....
18	Value of property of saloons and eating- houses.....	.....	.....
19	Value of market garden products.....	.....	.....
20	Value of home-made manufactures.....	.....	.....
21	Value of slaughtered animals.....	.....	.....
22	Every franchise and 'description, and value..	.....	.....
23	Value of brick, stone and all other building material on hand .....	.....	.....
24	Number of steamboats, sailing vessels, wharf- boats, canal boats, barges, or other water craft, either within or without this State, and value.....	.....	.....
25	Number of patent rights, and value.....	.....	.....
26	Number of steam engines, including boilers, and value.....	.....	.....
27	Number of fire and burglar-proof safes, and value.....	.....	.....

Number.	DESCRIPTION OF PROPERTY.	Valuation by Party.	Valuation by Assess'r
28	Number of billiard, pigeon hole, bagatelle and other similar tables, and value.....	.....	.....
29	Number of piano fortes and other musical instruments, and value.....	.....	.....
30	Number of sewing or knitting machines, and value.....	.....	.....
31	Number of watches and clocks, and value...	.....	.....
32	Number of carriages, wagons, coaches, hacks, carts, drays or other vehicles, and value...	.....	.....
33	Number of hoop-poles, and value.....	.....	.....
34	Number of horses, and value.....	.....	.....
35	Number of mules, jacks and jennets, and... value.....	.....	.....
36	Number of cattle, and value .....	.....	.....
37	Number of sheep, and value.....	.....	.....
38	Number of hogs, and value.....	.....	.....
39	Number of cords of wood, and value.....	.....	.....
40	Bushels of coal, and value .....	.....	.....
41	Bushels of lime, and value.....	.....	.....
42	Bushels of wheat, and value .....	.....	.....
43	Bushels of corn, and value.....	.....	.....
44	Bushels of rye, and value.....	.....	.....
45	Bushels of oats, and value .....	.....	.....
46	Bushels of potatoes, and value .....	.....	.....

Number.	DESCRIPTION OF PROPERTY.	Valuation by Party.	Valuation by Assessor
47	Bushels of barley, and value.....		
48	Bushels of grass and clover seed, and value.....		
49	Bushels of flaxseed, and value.....		
50	Bushels of fruit, and value.....		
51	Tons of hay, and value.....		
52	Tons of hemp, and value		
53	Pounds of beef, and value.....		
54	Pounds of bacon, and value.....		
55	Pounds of bulk pork, and value.....		
56	Pounds of lard, and value.....		
57	Pounds of wool, and value.....		
58	Pounds of tobacco, and value		
59	Pounds of hops, and value.....		
60	Pounds of maple sugar, and value.....		
61	Barrels of beef, and value.....		
62	Barrels of pork, and value.....		
63	Gallons of cider, and value.....		
64	Gallons of vinegar, and value.....		
65	Gallons of wine, and value.....		
66	Gallons of sorghum or maple molasses, and value.....		
67	Feet of lumber, and value		
68	Pounds of starch, and value		
69	Pounds of feed, and value		

Number.	DESCRIPTION OF PROPERTY.	Valuation by Party.	Valuation by Assessor
70	Reams of paper, and value.....	.....	.....
71	Pounds of pulp, and value.....	.....	.....
72	Gallons of oils of all kinds, and value.....	.....	.....
73	Number of scales, and value.....	.....	.....
74	Number of yards of cloth, and value .....	.....	.....
75	Number of yards of flannel, and value.....	.....	.....
76	Number of blankets, and value .....	.....	.....
77	Pounds of yarn, and value.....	.....	.....
78	Tons of ice, and value .....	.....	.....
79	Number of threshing machines, and value ..	.....	.....
80	Number of corn shellers, and value.....	.....	.....
81	Value of logs, timber and all other property not specified above, required to be listed ..	.....	.....
82	Male dogs owned or harbored by me .....	.....	.....
83	Female dogs owned or harbored by me .....	.....	.....

TO THE ASSESSOR.

The following is a list of all persons in my family, and belonging to my township, who are deaf and dumb, blind, idiotic or insane, with their names, ages and sex, and also the name of the father, mother or guardian, and their postoffice address :

NAME.	AGE.	SEX.	WHETHER DEAF AND DUMB, BLIND, IDIOTIC OR INSANE.	NAME OF FATHER, MOTHER OR GUARDIAN.	POSTOFFICE ADDRESS.

State of Indiana, County, ss.

I, being duly sworn, say, to the best of my knowledge, information and belief, the foregoing statement contains a true, full and fair list of all property held or belonging to me, and dogs owned, kept or harbored by me, on the first day of April, including all personal property appertaining to merchandising, whether held in actual possession or only having been purchased with a view to possession or profit, and all personal property appertaining to manufacturing, and all manufactured articles, whether on hand or owned by me. In all cases where I have been unable to exhibit certain classes of property to the Assessor, such property has been fully and fairly described, and its true condition and value represented. That I have in no case sought to mislead the Assessor as to either quantity or quality or value of property, and that the deductions claimed from credits are *bona fide* debts for a consideration received, and do not consist in any part of bonds, notes or obligations of any kind given to any insurance company on account of premiums or policies, nor on account of any unpaid subscription to any literary, scientific or charitable institution or society, nor on account of any subscription to, or indebtedness payable on the capital stock of any company, whether incorporated or unincorporated; and I further swear that since the first day of

April of last year, I have not, directly or indirectly, converted or exchanged any of my property temporarily, for the purpose of evading the assessment thereof for taxes, into non-taxable property-bonds or securities of any kind. I further swear that I have, to the best of my knowledge and judgment valued said property at its true cash value, by which I mean the usual selling price, being the price which could be obtained for said property at private sale, and not at forced or auction sale.

.....

Subscribed and sworn to before me this ... day of, 189...

....., Assessor.

By, Deputy.

SEC. 55. It shall be the duty of the Assessors at the time of assessing property, to ascertain and set down in tables prepared for that purpose, a list of all the persons in their respective townships who are deaf and dumb, blind, idiotic, or insane, setting forth the name, age and sex of each, also the names of the father, mother, or guardian, and their postoffice address; and in addition, the Assessor of the township wherein the county poor house is located, shall set down the number of the incurable insane who are kept therein, which list they shall return to the County Auditor at the same time they return the list of property. The said County Auditors shall report the same to the Chief of the Bureau of Statistics at the time of making their returns of the lists of property; and said Chief shall lay before the Superintendents of the Institute for the Education of the Blind, the Insane, Feeble-Minded, and of the Deaf and Dumb, copies of the lists so made.

SEC. 56. They shall also at the same time, set down in the column headed "for statistical purposes only," the answers to such questions relating to agriculture, manufacturing, mining, and such other matters as may be annually, on or before the first day of February, prepared by the Chief of the Bureau of Statistics, and the County Auditor shall have the questions printed and furnished to the several Assessors, and the statistical reports of each township shall be returned to the Auditor, who shall enter the totals in duplicate reports, one of which he shall file in his office, and the other he shall transmit, on or before the first day of July, to the Chief of such Bureau.

SEC. 57. If any person or corporation shall give a false or fraudulent list, schedule or statement required by this act, or shall willfully fail or refuse to deliver to the Assessor, when called on for that purpose, a list of the taxable property which he is required to list under this act, or shall temporarily convert any part of his property into property not taxable, for the fraudulent purpose of preventing such property from being listed, and of evading the payment of taxes thereon, he or it shall be liable to a penalty of not less than fifty dollars, nor more than five thousand dollars, to be recovered in any proper form of action, in the name of the State of Indiana, on the relation of the Prosecuting Attorney. The Assessor shall forthwith notify the Prosecuting Attorney of such delinquency or offense, and he shall prosecute such offender to final judgment and execution, and such fine, when collected, shall be paid into the county treasury for the use of the county, and the Prosecuting Attorney shall receive ten per centum commission of all monies so collected and paid in, and a docket fee of ten dollars, to be taxed and collected with costs in such action. Absence from the township during the sixty days without design to avoid the listing, or sickness during such period, shall be sufficient defense to such prosecution.

SEC. 58. In every case where any person shall refuse to make out and deliver to the proper Assessor the statement required under this act, or shall refuse to take and subscribe to any of the oaths or affirmations required by this act, the Assessor shall proceed to ascertain the number of each description of the several enumerated articles of property and the value thereof, and for this purpose he may examine, on oath, any person or persons whom he may suppose to have knowledge thereof, and such Assessor shall make a note of such refusal in a column opposite the person's name, and the County Auditor shall add to such valuation when returned by the Assessor, fifty per centum on the value so returned.

SEC. 59. If any person required by the Assessor to give evidence, as provided in the preceding section, or in any case when interrogated by the Assessor as to any property, real or personal, of himself or others, shall refuse to be sworn or affirm, or if having been sworn or affirmed he shall refuse to answer the interrogatories hereinbefore set out, or any other

questions touching the subject of inquiry, such person, upon conviction thereof, shall be fined in any sum not more than five hundred dollars nor less than ten dollars, to which may be added imprisonment in the county jail not exceeding six months.

Sec. 60. When any person shall have been prevented from making and verifying his statement by reason of sickness or absence from the county during the sixty days, and the Assessor shall have made a statement for him, he may, at any time before the assessment of taxes thereon by the County Auditor, make, verify and file with the County Auditor the proper statement, but in such case before the Auditor shall receive such statement, the person making the same must add to the ordinary affidavit a statement to the effect that his failure to give to the Assessor such statement was occasioned by his sickness or absence, and if from absence, that such absence was without design to avoid the listing of his property, and on the filing of such statement the Auditor shall correct the statement made by the Assessor.

Sec. 61. Every company, association or person not incorporated for banking purposes under any law of this State, or the United States, who shall keep in office or other place of business, and engage in the business of lending money, receiving money on deposit, buying or selling bullion, bills of exchange, notes, bonds, stocks or other evidences of indebtedness, with a view to profit, shall, between the first day of April and the first day of June of each year, make out and furnish to the Assessor a statement setting forth and showing with reference to the first day of April of the current year:

First. The amount of money on hand other than United States treasury notes, and the amount of money in transit.

Second. The amount of funds in the hands of other banks, bankers, brokers or others, subject to draft.

Third. The value of checks or other cash items not included in any of the preceding items.

Fourth. The value of bills receivable, discounted or purchased, and other credits due or to become due, including the accounts receivable and interest accrued but not due, and interest due and unpaid, and all notes secured by mortgage.

Fifth. The value of bonds and stocks of every kind, and shares of capital stocks of joint stock, or other companies or corporations, held as an investment, or any way representing assets, showing those that are exempt from taxation, if any, and also those subject to taxation, and the amount of each.

Sixth. All other property appertaining to said business other than real estate (which real estate shall be listed and assessed as other real estate is listed and assessed under this act).

Seventh. The amount of all bills payable. The aggregate amount of the first, second and third items in the said statement shall be listed as moneys. The amount of the sixth item shall be listed the same as other similar personal property is listed under this act. The amount of the seventh item shall be deducted from the aggregate amount of the fourth item of said statement, and the amount of the remainder, if any, shall be listed as credits. Moneys on deposit shall be taxed to the depositors.

SEC. 62. The shares of capital stock in any bank located within this State, whether organized under the laws of this State or of the United States, shall be assessed to the owner thereof in the township, city or town where such bank or banking association is located, and shall be taxed at the same rate as other personal property in the same locality is taxed, and with reference to its value on the first day of April of the current year.

SEC. 63. The president, cashier, or other accounting officer of such bank or banking association, shall, between the first day of April and the first day of June, of each year, make out a statement, under oath, in duplicate, showing the number of shares comprising the capital stock of such bank, the name and residence of each stockholder, with the number of shares owned by such stockholder in such bank, and shall affix what he deems the true cash value of each of said shares, and also the true cash value of the entire capital stock of such bank or banking association, on the first day of April, and shall deliver one of such statements to the Assessor in the township wherein such bank or banking association is located, and the other to the County Auditor, and such capital stock shall thereupon be listed and assessed by the Assessor, and return thereof made in

all respects the same as similar property belonging to other corporations and individuals. And whenever any such bank shall have acquired real estate or other tangible property, the assessed value of such real estate or tangible property shall be deducted from the valuation of the capital stock of such bank. In making such statement of the true cash value of such shares, the credits shall be given and the *bona fide* indebtedness of such bank deducted therefrom, as in the case of individuals. The Assessor shall determine and settle the true cash value of each share of stock, after an examination of such statement, and also an examination, under oath, of such officer, if he deem it necessary; and in determining and fixing the true cash value of each of said shares of stock, he shall be governed by the market or usual selling price of such stock at private sale at the place where the bank is located; and, if there is no market value, he shall determine the actual value, taking into consideration the surplus and individual profits, if any, just as he would with respect to other moneyed capital in the hands of individual citizens of the State.

SEC. 64. In case of the failure or refusal of the president, cashier, or other proper accounting officer of such bank to make and return such duplicate statements within the time aforesaid, the Auditor of the proper county shall summon such officers to appear forthwith before him, with the books of such bank or banking association; and said Auditor is hereby empowered to compel the attendance of said officers in obedience to such summons, and to examine them under oath, and make such investigation at the expense of such bank or banking association as may enable him to obtain the information provided for in the preceding section.

SEC. 65. The County Auditor shall enter the valuation of such capital stock on the tax-duplicate of the current year, and shall compute and extend taxes thereon the same as against the valuation of other property in the same township, town or city.

SEC. 66. Taxes assessed upon shares of bank stock shall become a lien thereon upon the first day of April of the current year, and such lien shall be in nowise affected by any sale or transfer of such stock. Such taxes shall be paid by the owner

or holder thereof, in the same manner that other individuals or corporations pay their taxes, and subject to the same penalties.

SEC. 67. It shall be the duty of every such bank, or the managing officer or officers thereof, after being notified in writing to do so by the County Treasurer, to retain so much of any dividend or dividends belonging to such stockholders as shall be necessary to pay any tax levied upon their shares of stock respectively, until it shall be made to appear to such bank or its officers that such taxes have been paid; and any officer of any such bank who shall pay over or authorize the paying over of any such dividend or dividends, or any portion thereof, contrary to the provisions of this section, shall thereby become liable for such taxes, or the bank may pay the tax due from any of its shareholders, and retain the amount thereof, with interest, from any subsequent dividend.

SEC. 68. Nothing in this act shall be so construed as to exempt from taxation for municipal purposes the shares of capital stock of any bank or banking association organized under the laws of this State, or the United States; but all such shares of stock may be assessed and taxed for all purposes at the same rate as other property is assessed and taxed in the same locality.

SEC. 69. Every insurance company not organized under the laws of this State, and doing business therein, shall, in the months of January and July of each year, report to the Auditor of State, under oath of the President and Secretary, the gross amount of all receipts received in the State of Indiana on account of insurance premiums for the six months last preceding, ending on the last day of December and June of each year next preceding, and shall, at the time of making such report, pay into the Treasury of the State the sum of three dollars on every one hundred dollars of such receipts, less losses actually paid within the State, and any such insurance company failing or refusing, for more than thirty days, to render an accurate account of its premium receipts, as above provided, and pay the required tax thereon, shall forfeit one hundred dollars for each additional day such report and payment shall be delayed, to be recovered in an action in the name of the State of Indiana, on the relation of the Auditor of State, in any court of competent jurisdiction. And it shall be the duty

of the Auditor of State to revoke all authority of any such defaulting company to do business within this State.

SEC. 70. Any joint stock association, company or corporation, incorporated under the laws of any other State, conveying to, from or through this State, or any part thereof, money, packages, gold, silver, plate or other articles by express, or contract with any railroad company, or the managers, lessees, agent or receiver thereof, not including railroad companies engaged in the ordinary transportation of merchandise and property in this State, shall be deemed to be an express company, and every such express company shall annually, between the first day of April and the first day of May, make and deliver to the Auditor of State, a statement, verified by the oath of the officer or agent making such report, showing the entire receipts of each agent of such company doing business in this State for the year then next preceding the first day of April, for and on account of such company, including its proportion of gross receipts for business done by such company in connection with other companies: *Provided*, That the amount which any express company actually pays to the railroads within this State for the transportation of their freight within this State, and the amount of wages paid to employes within this State, and the amount paid for the purchase of tangible property within this State, may be deducted from the gross receipts of such company as above ascertained: *And provided, further*, That nothing herein contained shall release such express companies from the assessment and taxation of their tangible property in the manner that other tangible property is assessed and taxed. Such company making statement of such receipts shall include as such all sums earned or charged of the business of such preceding year, whether actually received or not. Such statement shall contain an abstract of the amount received in each county and the total amount received for all the counties. In case of the failure or refusal of such express company to make such statement before the first day of May, it shall then be the duty of each local agent of such express company within this State annually, between the first day of May and the first day of June, to make out and forward to the Auditor of State a similar verified statement of the gross receipts of his agency for the year then next preceding the first day of April. When such statement is made such express company shall, at the

time of making the same, pay into the Treasury of the State the sum of one dollar on each one hundred dollars of such receipts. And any such express company failing or refusing for more than thirty days after the first day of June in each year to render an accurate account of its receipts in the manner above provided, and to pay the required tax thereon, shall forfeit one hundred dollars for each additional day such statement and payment shall be delayed, to be recovered by an action in the name of the State of Indiana, on the relation of the Auditor of State, in any court of competent jurisdiction, and the Attorney-General shall conduct such prosecution; and such company, corporation or association so failing or refusing shall be prohibited from carrying on said business in this State until such payment is made.

SEC. 71. Any joint stock association or corporation engaged in transmitting to, from, through or in this State telegraphic messages, and incorporated under the laws of any other State, shall be deemed and held to be a telegraphic company, and every such telegraphic company shall annually, between the 1st day of April and the 1st day of May, make and deliver to the Auditor of State a statement, verified by the oath of the officer or agent of such company making such report, showing the entire receipts of each agent of such company doing business in this State for the year then next preceding the 1st day of April, for and on account of such company, including its proportion of gross receipts for business done by such company in connection with the lines of other companies: *Provided, That* nothing herein contained shall release such telegraph companies from the assessment and taxation of their tangible property in this State in the manner that other tangible property is assessed and taxed. Such company, in making statement of such receipts, shall include as such all sums earned or charged of the business for such preceding year, whether actually received or not. Such statement shall contain an abstract of the amount received in each county, and the total amount received for all the counties. In case of the failure or refusal of such telegraph company to make such statement before the 1st day of May, it shall then be the duty of each local agent of such local telegraph company within this State annually between the 1st day of May and the 1st day of June, to make out and forward to the Auditor of State a

similar verified statement of the gross receipts of his agency for the year then next preceding the 1st day of April. When such statement is made such telegraph company shall, at the time of making the same, pay into the treasury of the State the sum of one dollar on each one hundred dollars of such receipts, and any such telegraph company failing or refusing, for more than thirty days after the 1st day of June in each year, to render an accurate account of its receipts in the manner above provided and to pay the required tax thereon, shall forfeit one hundred dollars for each additional day such statement and payment shall be delayed, to be recovered by an action in the name of the State of Indiana, on the relation of the Auditor of State, in any court of competent jurisdiction, and the Attorney-General shall conduct such prosecution; and such company, corporation or association so failing or refusing shall be prohibited from carrying on said business in this State until such payment is made.

SEC. 72. Every telephone company doing business in this State, and incorporated under the laws of any other State, shall annually, between the first day of April and the first day of June, report to the Auditor of State, under oath of an officer or agent of such corporation, the gross amount of all their receipts in the State of Indiana for the year immediately preceding the first day of April, and shall, at the time of making such report, pay into the treasury of the State the sum of twenty-five cents on every one hundred dollars of such receipts; and any such telephone company failing or refusing for more than thirty days after the first day of June to render an accurate account of such gross receipts, as above provided, and pay the required tax thereon, shall forfeit ten dollars for each additional day such report and payment shall be delayed, to be recovered in an action in the name of the State of Indiana, on the relation of the Auditor of State, in any court of competent jurisdiction, and the Attorney-General shall conduct such prosecution; and such telephone companies so failing or refusing shall be prohibited from carrying on said business until such payment is made.

SEC. 73. Every joint stock association, company or corporation, incorporated under the laws of any other State, and conveying to, from and through this State, or any part thereof,

passengers and travelers in palace cars, drawing-room cars, sleeping cars, or chair cars, on contract with any railroad company or the managers, lessees, agent, or receiver thereof, shall be held and deemed to be a sleeping car company; and every such sleeping car company doing business in this State shall annually, between the first day of April and the first day of June, report to the Auditor of State, under oath of an officer or agent of such corporation, the gross amount of all their receipts within or without the State, for fares earned or business done by such company within this State, for the year then next preceding the first day of April of the current year; and in computing such gross receipts, the same shall be in the proportion that the distance traversed in this State bears to the whole distance paid for. At the time of making such report, such company shall pay into the treasury of the State the sum of two dollars on every one hundred dollars of such receipts. And every sleeping car company failing or refusing for more than thirty days after the first day of June, to render an accurate account of such gross receipts, as above provided, and pay the required tax thereon, shall forfeit twenty-five dollars for each additional day such report and payment shall be delayed, to be recovered in an action in the name of the State of Indiana, on the relation of the Auditor of State, in any court of competent jurisdiction, and the Attorney-General shall conduct such prosecution, and such sleeping car companies so failing or refusing shall be prohibited from carrying on such business until such payment is made; and all railroad companies in this State, or the persons managing or operating the same, are prohibited from hauling any cars of any sleeping car company while so in default; and for each violation of this prohibition shall be liable to pay to the State of Indiana the sum of one hundred dollars, to be recovered in the proper action by the State; and it shall be the duty of the Attorney-General, at the request of the Auditor of State, to prosecute all such suits.

SEC. 74. Every bridge company and ferry company not organized under the laws of this State, and doing business therein, shall, between the first day of April and the first day of June of each year, report to the proper Assessor of the county in which any part of the business of such company is carried on, under the oath of the agent or superintendent of

such company doing business in said county, the gross amount of all moneys received by such agent or superintendent on account of such company, and for the year then next preceding the first day of April of the current year, and failing or refusing to do so, such company shall forfeit and pay one hundred dollars for each additional day such report is delayed beyond the first day of June, to be sued for and recovered as in case of express, telegraph and telephone companies: *Provided*, Such report shall also contain a list of the tangible property of such company or corporation within the county, and the true cash value thereof. The amount of such gross receipts shall be reported by such Assessor to the County Auditor, and shall be by such Auditor entered, together with the true cash value of such tangible property, upon the tax duplicate of the proper county, and the taxes so assessed shall be a lien upon the property of such companies until the same are paid.

SEC. 75. Every street railroad, water works, gas, manufacturing, mining, gravel road, plank road, savings bank, insurance and other associations, incorporated under the laws of this State (other than railroad companies and those heretofore specifically designated), shall, by its President or other proper accounting officer, between the first day of April and the first day of June of the current year, in addition to the other property required by this act to be listed, make out and deliver to the Assessor a sworn statement of the amount of its capital stock, setting forth particularly:

First. The name and location of the company or association.

Second. The amount of capital stock authorized, and the number of shares in which such capital stock is divided.

Third. The amount of capital stock paid up.

Fourth. The market value, or if no market value, then the actual value of the shares of stock.

Fifth. The total amount of indebtedness, except the indebtedness for current expenses, excluding from such expenses the amount paid for the purchase or improvement of property.

Sixth. The value of all tangible property.

Seventh. The difference in value between all tangible property and the capital stock.

Eighth. The name and value of each franchise or privilege owned or enjoyed by such corporation.

Such schedule shall be made in conformity to such instructions and forms as may be prescribed by the Auditor of State. In case of the failure or refusal to make report, such corporation shall forfeit and pay one hundred dollars for each additional day such report is delayed beyond the first day of June, to be sued and recovered in any proper form of action in the name of the State of Indiana on the relation of the Prosecuting Attorney, such penalty, when collected, to be paid into the county treasury, and such Prosecuting Attorney in every case of conviction shall be allowed a docket fee of ten dollars, to be taxed as costs in such action.

SEC. 76. Such statement shall be scheduled by the Assessor, and such schedule, with the statements so scheduled, shall be returned by the Assessor to the County Auditor. The Auditor shall annually, on the meeting of the County Board of Review, lay before said Board the schedule and statements herein required to be returned to him, and said Board shall value and assess the capital stock and all franchises and privileges of such companies or associations in the manner provided in this act, and the said Auditor shall compute and extend the taxes for all purposes on the respective amounts so assessed, the same as may be levied on other property in such towns, cities or other localities in which such companies or associations are located. In all cases where the capital stock of any such corporation exceeds in value that of the tangible property listed for taxation, then such capital stock shall be subject to taxation upon such excess of value, and where no tangible property is returned or found, and the capital stock has a value, it shall be assessed for its true cash value. But where the capital stock, or any part thereof, is invested in tangible property, returned for taxation, such capital stock shall not be assessed to the extent that is so invested. Every franchise or privilege of any such corporation shall likewise be assessed at its true cash value. Where the full value of any franchise is represented by the capital stock listed for taxation, then such franchise shall not itself be taxed; but in all cases where the franchise is of greater value than the capital stock, then the franchise shall be assessed at its full cash value, and the capital stock in such case shall not be assessed.

SEC. 77. In case of the failure or refusal of the person or persons, joint stock associations, companies or corporations, their officers, agents or employees specified in the preceding section to make and return the statements and reports therein provided for, the Auditor of State shall make out such returns, statements and valuations from the best information he can obtain, and for that purpose he shall have power to summon and examine, under oath, any person whom he may believe to have knowledge thereof. And he shall add to such valuation twenty-five per centum thereon.

SEC. 78. Every person, company or corporation owning, managing, operating or constructing a railroad in this State, shall cause all its taxable property, not including property specifically taxed, to be listed with reference to its amount, kind and value, on the first day of April of the year in which it is listed.

SEC. 79. Between the first day of April and the first day of June of the year eighteen hundred and ninety-one, and at the same time in each year thereafter, when required by the County Auditor, they shall make and file with the County Auditor of the respective counties in which the railroad may be located a statement or schedule verified by the oath of such person, or the president and secretary of such corporation, showing the property held for right of way, and the length of the main and all side and second tracks and turnouts in such county, and in each city or town in the county through or into which the road may run, and describing each tract of land, other than a city or town lot, through which the road may run, in accordance with the United States, or other surveys, giving the width and length of the strip of land held in each tract, and the number of acres thereof. They shall also state the value of improvements and stations located on the right of way. New companies shall make such statement in April next, after the location of their roads. When such statement shall have been once made, it shall not be necessary to report the description, as herein before required, unless directed so to do by the County Auditor; but the company shall, during the month of April, annually, report the value of such property, by the description set forth in the next section of this act, and note all additions or changes in such right-of-way as shall have occurred.

SEC. 80. Such right-of-way, including the superstructures, main, side or second track and turnouts, turn-table, telegraph poles, wires, instruments, and other appliances, and the stations and improvements of the railroad company on such right-of-way (except machinery, stationary engines and other fixtures, which shall be considered personal property) shall be held to be real estate for the purpose of taxation, and denominated "railroad track," and shall be so listed and valued, and shall be described in the assessment thereof as a strip of land extending on each side of such railroad track, and embracing the same, together with all the stations and improvements thereon, commencing at a point where such railroad track crosses a boundary line in entering the county, township, city, or town, tending to the point where such track crosses the boundary line, leaving such county, township, city or town to the point of termination in the same, as the case may be, containing — acres, more or less (inserting name of county, township, city or town, or boundary line of same, and number of acres and length in feet), and when advertised or sold for taxes, no other description shall be necessary to convey a good title to the purchaser.

SEC. 81. The value of the "railroad track" shall be listed and taxed in the several counties, townships, cities or towns in the proportion that the length of the main track in such county, township, city or town bears to the whole length of the road in this State, except the value of the side or second track, and all turn-outs, and all station-houses, depots, machine shops, or other buildings belonging to the road, which shall be taxed in the county, township, city or town in which the same are located.

SEC. 82. The movable property belonging to a railroad company shall be held to be personal property, and denominated, for the purpose of taxation, "rolling stock." Such rolling stock shall be listed and taxed in the several counties, townships, cities and towns, in the proportion that the main track used or operated in such county, township, city or town bears to the length of the main track used or operated by such person, company or corporation, whether owned, operated or leased by him or them, in whole or in part.

SEC. 83. All personal property of any railroad, except that specifically taxed, and including the tools and material for repairs, machinery, fixtures and stationary engines, shall be listed and assessed in the county, township, city or town wherever the same may be, on the 1st day of April of each year.

SEC. 84. All real estate of any railroad company, other than that denominated "railroad track," with all the improvements thereon, shall be listed as lands and lots, as the case may be, in the county, township, town or city where the same are located. In describing such real estate wherever a railroad company shall have made or makes and records a plat of any contiguous lots or parcels of land belonging to it, the same may be described as designated on such plat.

SEC. 85. Between the 1st day of April and the 1st day of June of each year, every person, company or corporation, owning, constructing or operating a railroad in this State shall return to the County Auditor a list or schedule, verified by the oath of such person so owning, constructing or operating, if an individual, or if a company or corporation, by the oath of the Superintendent or Secretary of such company or corporation, which shall contain :

First. A full and correct detailed inventory of all the rolling stock belonging to, or leased, hired, used or operated by such company, and which shall distinctly set forth the number of locomotives and tenders of all classes, passenger cars of all classes, sleeping, chair and dining cars, express cars, baggage cars, horse cars, cattle cars, coal cars, platform cars, wrecking cars, freight cars, flat cars, pay cars, hand cars, tank or oil cars, and all other kinds of cars, and the true cash value thereof on the first day of April of the current year, shall be set opposite each of them. Such list or schedule shall also set forth the number of miles of main track on which such rolling stock is used in the State of Indiana. For the purpose of taxation such rolling stock leased or hired from persons or corporations, other than railroad companies, shall be deemed the property of the railroad company leasing the same, and for that purpose shall be valued at such proportion of the full value thereof as the time during which the same is used on such railroad during any year bears to the whole year.

Second. Such list shall contain a full and correct inventory of all the other personal property of such railroad company not specifically taxed, including the tools and materials for repairs, the machinery, fixtures and stationary engines, and such property shall be classified and separated into the particular county, township, cities and towns, wherein the same may be on the first day of April, with the true cash value thereof, on the first day of April of the current year.

Third. Such list shall also contain an inventory of all the real estate (other than that denominated "railroad track") owned by the said railroad company on the first day of April of the current year such property shall also be listed, with reference to the amount, kind and value, on the first day of April of the year in which it is listed.

SEC. 86. The County Auditor, as soon as he receives such list, shall return to the proper Assessor a copy of so much of said list as is contained in the second and third specifications thereof, and such property shall be listed and assessed by such Assessor. Such property shall be treated in all respects, in regard to assessments and equalization, the same as other similar property belonging to individuals, except that it shall be treated as property belonging to railroads under the terms "lands," "lots" and "personal property."

SEC. 87. At the same time that the lists or schedules are hereinbefore required to be returned to the County Auditor, the person, company or corporation running, operating or constructing any railroad in this State shall, under oath of such person, or the secretary or superintendent of such company or corporation, return to the Auditor of State, sworn statements or schedules as follows:

First. Of the property denominated "railroad track," giving the length of the main and side or second tracks and turn-outs, and showing the proportions in each county and township, and the total in the State.

Second. The rolling stock, whether owned or hired, giving the length of the main track in each county, and the entire length of the road in this State.

Third. Showing the number of ties in track per mile, the weight of iron or steel per yard used in the main and side

tracks, what joints or chairs are used in track, the ballasting of road, whether graveled, stone or dirt, the number and quality of buildings or other structures on "railroad tracks," the length of time iron in track has been used, and the length of time the road has been built.

Fourth. A statement or schedule showing:

1. The amount of capital stock authorized and the number of shares into which such capital stock is divided.

2. The amount of capital stock paid up.

3. The market value, or if no market value then the actual value of the shares of stock.

4. The total amounts of all indebtedness, except for current expenses for operating the road.

5. The total listed valuation of all its tangible property in this State. Such schedule shall be made in conformity to such instructions and forms as may be prescribed by the Auditor of State.

SEC. 88. If any person, company or corporation, owning, operating or constructing any railroad, shall neglect or refuse to return to the County Auditor the statements or schedules required to be returned to them, the property so to be returned to them and assessed by the assessors as above specified, shall be listed and assessed as other property. In case of failure to make returns to the Auditor of State, as hereinbefore provided, the Auditor of State, with the assistance of the County Auditors and Assessors, when he shall require such assistance, shall ascertain the necessary facts and lay the same before the State Board of Equalization. In case of failure to make such statement either to the County Auditor, or Auditor of State, such corporation, company or person shall forfeit, as a penalty, not less than one thousand dollars nor more than five thousand dollars for each day's omission after the first day of June of each year, to be recovered in any proper form of action in the name of the State of Indiana on the relation of the Attorney-General, and paid into the State treasury. Such Attorney-General shall conduct such prosecution and be entitled to ten per centum on the amount of the judgment so recovered and paid in.

SEC. 89. The Auditor of State shall annually, on the meeting of the State Board of Equalization, lay before said Board the statements and schedules herein required to be returned to him, and said Board shall assess such property in the manner hereinafter provided.

SEC. 90. The County Auditor shall enter the railroad property of all kinds as listed for taxation upon the proper tax duplicate, and shall enter the valuation as assessed, corrected and equalized in the manner provided in this act, and against such assessed, corrected or equalized valuation as the case may require, the County Auditor shall compute and extend all taxes for which said property is liable. And the County Treasurer shall collect the taxes charged against said railroad property, and pay over and account therefor in the same manner as other taxes are collected and accounted for.

SEC. 91. Building, loan-fund and savings associations shall be listed and assessed in the following manner: Before the first day of June of each year, the secretary of every building, loan and savings association shall file with the Auditor of the county in which such association was organized a duplicate statement verified by said secretary, showing the amount paid into said association by shareholders upon shares of stock issued by it up to the first day of April preceding and then outstanding, and also the amount loaned up to said date to shareholders, and secured by mortgage upon real estate, notes or other credits listed for taxation. And the Auditor shall deliver said statement to the proper Assessor, who shall proceed to assess said association for taxation with the amount shown to have been paid into said association up to said first day of April upon outstanding shares of stock, less the amount shown by the statement to have been loaned to shareholders upon said mortgage and other securities so listed for taxation; and neither said association nor the shareholders therein shall be liable to other taxation upon said shares of stock.

SEC. 92. For the purpose of listing and assessing all property for taxation there shall be elected at the township election in the year one thousand eight hundred and ninety-four, and every four years thereafter, in each township of the several counties in this State, an Assessor for such township, who shall hold his office for the term of four years from the first

Monday of August following and until his successor is elected and qualified. Within ten days after the beginning of his term he shall give bond, with at least two good and sufficient freehold sureties, to the acceptance of the County Auditor, in the sum of three thousand dollars, payable to the State of Indiana, and conditioned for the faithful and impartial discharge of his duties according to law, and shall take and subscribe an oath or affirmation, to be endorsed on his bond, that he will faithfully, honestly and impartially discharge the duties of his office to the best of his skill and ability; and the bond so endorsed shall be deposited with the County Auditor, and the said Auditor is hereby authorized to administer the oath of office aforesaid. If such bond and oath are not given and filed in the County Auditor's office within said ten days, the office shall be vacant, and the County Auditor shall at once fill such vacancy by appointment and such appointee shall give the bond and take the oath as above required; and if from any other cause a vacancy should occur in said office in any township, at any time, the County Auditor shall fill such vacancy by appointment, and the person so appointed shall qualify as herein required. All Township Assessors last elected or appointed shall continue in office until the next township election, and until their successors are elected and qualified under this act, at the same rate and limit of compensation as herein provided. Persons holding the office of Township Assessor on the taking effect of this act shall not be eligible to said office at said township election in 1894; and hereafter no person shall be eligible to the office of Township Assessor more than four years in any period of eight years. The oath of office to be taken by said Assessor and endorsed upon his bond shall be in the words following:

State of Indiana, County of, ss:

I,, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana; that I will faithfully, impartially and honestly discharge the duties of my office as Township Assessor; particularly that I will assess all property assessed by me at its true cash value, as such value is defined in Section 54 of the

act concerning taxation, according to my best knowledge and judgment, so help me God.

Subscribed and sworn to before me this day of
....., 189...

....., County Auditor.

All Deputy Assessors shall be sworn in like manner.

SEC. 93. Whenever a Township Assessor shall be unable to complete the duties required of him within the time designated by law, he may appoint one or more suitable and competent persons as deputies to assist him in making the assessments, and he may designate the portion of the township, town or city in which they shall act. Such deputies shall make their return to the proper Assessor.

SEC. 94. For their services the Township Assessors shall receive as compensation two dollars per day for the time actually employed in the duties of their office, not exceeding sixty days in any one year, to be paid to them from the county treasury upon the warrant of the County Auditor, and they shall receive no extra allowance for services. Their deputies shall also receive two dollars per day for each day they are actually employed: *Provided*, That nothing in this section shall be taken to alter or repeal any of the provisions of an act fixing the salaries of County Commissioners, Township Assessors and Trustees, approved March 6, 1889.

SEC. 95. The County Auditor of each county shall, on or before the first day of April in each year in which realty is assessed, make out and deliver to the Assessors, by civil townships, lists of all lands, town and city lots, entered on the duplicate of the preceding and present year, noting thereon all transfers which may have been made subsequent to the making out of such duplicate, and shall also enter thereon all new entries and other lands, and city, town and village lots lying within his county, which may come to his knowledge, and not previously entered for taxation, and in so doing, when a whole section, half section, quarter section or half quarter section appears to belong to one owner, it shall be described in one description, and shall be listed as one tract, and when all the lots in one block appear to belong to one owner, they shall

be described in one description, and listed as one block; when several lots in the same block shall belong to the same owner, they shall, as far as practicable, be included in one description, and in making up the tax duplicate it shall be the duty of the County Auditors, as far as practicable, to preserve and perpetuate such consolidated description, and it shall be the duty of said Auditor to furnish the Assessor with all blanks necessary in the discharge of his official duties, and he shall also, where the same have not been already prepared, prepare plats of each civil township of his county, divided into sections and quarter sections, and grant and other governmental subdivisions, and deliver the same to him with said blanks, and it shall be the duty of said Assessor to designate, in pencil, the lands of each owner on such plats. When such plats have been once prepared, they shall be carefully preserved by the County Auditor, to be used whenever practicable in future assessments.

SEC. 96. The Assessor shall call upon each and every person residing in his township for a list of all lands, city, village and town in-lots and out-lots, owned by such person or persons, lying within his township, which may be subject to taxation, which list last shall particularly set forth the names of the owners, the number of acres of land in each tract, lot, section or subdivision thereof, the range, township, section, quarter section, tract, or lot, or part thereof, or the number of the entry, location or survey, as the nature of the general or particular survey may require. And if the same can not be described by the Congressional survey, then it shall be described by metes and bounds, so as to designate and identify the same, or by reference to a sufficient and correct description contained in some public record of the county or by the number and designation as contained in some partition proceeding, identifying by book and page of record whenever practicable. When he makes such call he must notify the person, company or corporation, of their duty to make out and return such list within five days. If he deems it necessary to obtain an accurate description of any separate lot or tract in his township, he may require the owner or occupant to exhibit all the title papers he may have in his possession, and whenever the person called upon fails or refuses to furnish such list to such Assessor at his office or place of business within five days after being called

upon, the Assessor shall make the list according to the best information he can obtain, and for that purpose he may examine under oath any person or persons whom he may suppose to have a knowledge thereof, and the County Auditor shall add to such valuation, when returned, twenty-five per centum on the value so returned. To enable the County Auditor to make such addition, the Assessor shall enter in his return, in a column provided for that purpose, opposite the name of every person, company or corporation, required to list real estate, who has, after notice, failed or refused to furnish the list required, these words, "failed or refused after notice."

SEC. 97. Real property shall be valued by the Assessor as follows: Lands and the improvements and buildings thereon, or affixed thereto, shall be valued at their full, true cash value, estimated at the price they would bring at a fair, voluntary, private sale, not a forced or Sheriff's sale, taking into consideration the fertility of the soil, the vicinity of the same to railroads, macadamized roads, clay roads, gravel roads and turnpike roads, State or county roads, cities, towns, villages, navigable rivers, water privileges on the same, or in the vicinity of the same, the location of the route of any canal or canals, with any other local advantages of situation. In-lots and out-lots in all towns, cities or villages, with the improvements thereon or affixed thereto, shall be valued at their full cash value, as aforesaid, taking into consideration all the local advantages upon actual view of the premises. All lands and lots shall also be listed at such valuation, without taking into consideration any improvements, and this valuation, as well as the valuation with the improvements, shall be set down in a proper column to be left for that purpose.

SEC. 98. When a building or structure is located on the right of way of any canal, railroad or other company, leased or granted for a term of years to any other, the same shall be valued at such price as such building or structure and lease or grant would sell at a private, voluntary sale for cash.

SEC. 99. In valuing any real property on which there is a coal or other mine, or stone or other quarry, the same, if the land and the mine or quarry are owned by the same person, shall be valued at such price as such property, including the mine or quarry, would sell at a private voluntary sale for cash.

Where the mine or the quarry is owned or leased by a person other than the owner of the land, such land shall be valued, exclusive of the mine or quarry, as other lands are valued, and the mine or quarry and all improvements and leasehold and appurtenances shall be valued separately from the land, according to the true cash value thereof.

SEC. 100. For the purpose of enabling the Assessor to determine the value of buildings and other improvements, he is hereby required to enter, after first making known his intention to the owner or occupant thereof, and fully examine all buildings and structures of whatever kind, which are not by the laws of the State especially exempt from taxation.

SEC. 101. The Assessor, in ascertaining or determining the quantity of land in the several tracts within his township, shall be governed by the following rules: Whenever the owner or person, in whose name it is listed shall hold, by virtue of a deed from another party, or from the State of Indiana, or by patent from the United States for Congress land, such deed or patent, if the quantity be therein stated, shall be taken and received as evidence of the quantity in the tract described; but if such lands shall have been surveyed subsequent to the survey made by the United States, and it shall be proven to the satisfaction of the Assessor that any such tracts of land contain a greater or less quantity than is described in the patent or deed under which said lands are held, then the Assessor shall charge the owner with the true quantity as ascertained by such subsequent survey; if the owner or person in whose name any lands are listed within the French or Clark's grant shall hold, under an original entry or survey, with or without patents thereon, it shall be the duty of the Assessor to require the said owners or holders to cause the same to be surveyed by the County Surveyor, and to return the quantity under the certificate of said Surveyor, attested by oath or affirmation, within ten days after said owners or holders shall have been called upon to list their lands for taxation, and if any such owner or holder shall refuse or neglect to survey and list his lands as herein provided, or if he, she or they be non-residents of the township, then it shall be the duty of the Assessor to cause such lands to be surveyed and returned to himself, the expense of which survey shall be paid from the County Treasury, and be by the Auditor

the County assessed against such lands in the succeeding year, and collected in the same manner as taxes are collected thereon: *Provided*, That if any owner or holder of lands has had the same previously surveyed and shall produce to the Assessor a certificate of the survey, other than that under the original entry of said lands, such survey shall be taken by the Assessor, or if the Assessor shall be satisfied from other competent evidence adduced to him under oath or affirmation that the quantity returned is correct, and that no surplus exists in the original survey, he shall enter and return the same without further survey: *Provided*, That that the Assessor may deduct from the value of such tract of land, owned by any person, the value of the amount of land occupied and used by any railroad, public highway or canal, at the time of such assessment.

SEC. 102. In making out this list the Assessor shall place opposite to each tract of land or lot listed the value without improvements, and also in another column opposite, the value of the improvements erected thereon or affixed thereto.

SEC. 103. Each Assessor shall, in a book to be furnished by the County Auditor, on or before the first Monday in June in each year, make out and deliver to such Auditor a return of the real estate listed for taxation in his township, which return shall contain:

First. The names, arranged in alphabetical order, of the persons in whose names the real estate of the township (except such as lies within the limits of any city, town or village) has been listed, and in appropriate columns opposite each name the description of each parcel of real estate listed in such name, and the value of such separate parcel, as determined by the Assessor from actual view.

Second. The names, arranged in alphabetical order, of the person in whose name the real estate in each city, town or village, respectively, in such township, has been listed, and in appropriate columns opposite each name, the description of each parcel of real estate listed in such name, and the value of each separate parcel, as determined by the Assessor from actual view. In cases where the name of the owner of any parcel of real estate is unknown, it shall be so returned. Each parcel of real estate shall be described according to the Congressional or

other survey, division or subdivision, or according to the recorded plat or subdivision thereof; and also in cases of parts of town lots by the number of feet along the principal street or streets upon which it abuts; and any description may be supplemented by reference to any public record of the county.

SEC. 104. Each Assessor or Deputy Assessor shall take and subscribe an oath, which shall be certified by the County Auditor, or other officer administering the same, and attached to the return which he is required to make to the County Auditor, in the following form :

I,, Assessor for the township of, in County, in the State of Indiana, do solemnly swear that the return to which this is attached contains a correct description of each parcel of real property within said township, as far as I have been able to ascertain the same; that the value attached to each parcel in said return is, as I verily believe, the full and true cash value thereof, estimated agreeably to the rules prescribed by the law, particularly section 54 of the act concerning taxation; that in no case have I knowingly omitted to demand a statement of the description and value of all the real estate which I am required by law to list, or in any way connived at any violation or evasion of any of the requirements of the law in relation to the listing and valuing of real estate.

Which return shall be kept at the office of the County Auditor for the inspection of any owner of property contained in such return.

SEC. 105. Before or at the time of making such return, the Assessor shall leave with the owner or owners of his, her, or their agent, if residing in the county, at his, her or their place of residence, a memorandum containing a description and value of each tract, lot or parcel of land, containing the amount of which his, her or their real estate has been assessed respectively, and of the time when the Board of Review for the county will meet for the purpose of hearing and determining grievances, and to equalize taxes within the same.

SEC. 106. The first assessment of the real estate made in pursuance of the provisions of this act shall be made in the year 1891, and a like assessment shall be made every four years

thereafter, and the personal property shall be assessed at the same time such real property is assessed, and by the same person or persons, and each Assessor may, when taking list of personal property, correct all errors of assessment of real estate which he may discover on the books, either in the name of the person to whom the property is assessed by change of ownership, or otherwise, or in the description of property.

The Assessor shall annually thereafter also assess any real estate or improvement found omitted, and also note and list all changes found in improvements on real estate, and make return thereof to the County Auditor as in the year in which real estate is to be assessed.

SEC. 107. Each Assessor shall, on or before the first Monday of June, annually, make out and deliver to the Auditor of his county, in tabular form and alphabetical order, a list or lists of the names of the several persons, companies or corporations in whose names any personal property, moneys, credits or other taxables shall have been by him listed, on which list or lists he shall enter separately, in appropriate columns opposite each name, the aggregate value of the several species of personal property and taxables required to be listed, as attested by the person required to list the same, or as determined by the Assessor, making separate lists of persons residing out of any incorporated city or town, and of any persons who are residents of an incorporated city or town.

The columns shall be accurately added up. To such return shall be attached the following oath or affirmation to be made by himself or his deputy, and certified by the County Auditor or other officer administering the same:

I, _____, Assessor of _____ Township, _____ County, in the State of Indiana, do solemnly swear (or affirm) that the value of all personal property, moneys, credits and other assessables, of which a statement has been made and attested by oath or affirmation of the person required by law to list the same, is truly returned as set forth in such statement; that in every case where by law I have been required to ascertain the amount and value of personal property and assessables of any person, company or corporation I have diligently, and by the best means in my power, endeavored to

ascertain the true amount and value of such personal property and assessables; and that as I verily believe the full value thereof so ascertained by me, and estimated by the rule prescribed by law, particularly by section 54 of the act concerning taxation, is set forth in the annexed return; that in no case have I knowingly omitted to demand a statement of the description and value of personal property, or the amount of moneys and credits, or of the amount and value of other stocks, bonds or other assessables which any person is required by law to list; nor have I in any way connived at any violation or evasion of any of the requirements of law in relation to listing or valuing the personal property, moneys, credits, stocks, or other assessables for taxation.

SEC. 108. When the returns of the Assessor are received, the County Auditor, if satisfied that such Assessor has omitted any personal property, moneys, rights, credits, effects, stocks or real estate in his township which it was his duty to return, may, if he deems it expedient, authorize and require such Assessor to proceed to correct any error or omission which may have occurred as aforesaid, and in such case such Assessor shall, within ten days after being so required and authorized, proceed to correct such errors and omissions and make returns thereof to such County Auditor; but nothing herein contained shall authorize any Assessor to reduce the amount assessed against any person in his former return or the Auditor may himself ascertain the value and add the same to the assessment, and such County Auditor shall charge such person with the additional amount, if any, returned by such Assessor.

SEC. 109. Before any addition is made to any city or town, the person making the same, before such plat is recorded, shall present the same to the County Auditor, who shall assess and apportion the true valuation of each lot or parcel of land described in such plat, in the same manner as other lots are valued, and thereupon such lots or parcels shall be entered on the tax list in lieu of the land included therein; but in making such valuation, regard shall be had to the next preceding annual valuation of the real estate, so that the said lots shall, as near as practicable, be equalized with adjacent lands and lots according to such annual valuation.

SEC. 110. Whenever the Township Assessor, prior to filing of his return with the County Auditor, shall discover, or receive credible information, or have reason to believe, that any real or personal property has been omitted in the assessment of any year, or number of years, from the listing and assessing, or from the tax duplicate, or that any person, company or corporation has, from any cause, omitted to list any part of his, her or their property, or has not returned the full value thereof, or that the tax for which such property was liable from any cause, has not been paid, or that any real estate, by reason of defective description thereof, has failed to pay taxes for any year, or number of years, he shall proceed to correct his list and add such property to the assessment, so that such property, and the owner thereof, may be charged with the proper amount of taxes thereon; but, before making such correction or addition, if the person claiming to own such property, or occupying it, or in possession thereof, resides in the county, he shall give the person claiming to own, or occupying, or having in possession such property, notice in writing of his intention to list such property, describing it in general terms, and requiring such person to appear before him at his office or place of business, at a specified time within ten days after giving such notice, to show cause, if any, why such property should not be listed and placed on the assessment book, and if the party so notified does not appear, or if he appear and fail to show any good and sufficient cause why such assessment should not be made, such listing shall be made, and the particular years for which such property should be listed shall be noted. Such Assessor shall also file with the County Auditor a statement in writing of his reasons for making such correction or assessment, and the facts or evidence upon which such reasons were based; the arrearages of tax which might have been assessed shall be charged against such person and property by the County Auditor. The County Assessor hereinafter provided for shall at any time during any year have the power and exercise the duties in this section prescribed for Township Assessors.

SEC. 111. A failure to complete or return an assessment of property, real or personal, by the Township Assessor, within the time required by this act, or any informality or irregularity in making the assessment, or in the tax lists, or errors of any

kind therein, shall not vitiate the same, but the same shall be as legal and valid as if completed and returned in the time required by law, and such informalities or irregularities may be corrected at any time after such return is made, and if any property is listed or assessed on or after the first day of June, and before the return of the Assessor's books, the same shall be as legal and binding as if listed and assessed before that time, but nothing in this section shall be so construed as to release such Assessor from any penalty imposed upon him by law for his neglect or failure to make his return within the period prescribed by this act.

SEC. 112. Each Assessor shall, at the time he makes return of taxable property to the County Auditor, also deliver to him all the statements of property which he shall have received from persons required to list the same, arranged in alphabetical order, corresponding with his list or lists, and also all the plats used in assessing real estate, and the Auditor shall carefully preserve the same in his office.

SEC. 113. If any Assessor or Deputy Assessor shall fail or neglect to administer to any person by him assessed any oath required by this act to be administered, he shall forfeit and pay to the State of Indiana, for the use of the school fund, the sum of twenty dollars for each case of such omission or neglect, which may be recovered by an action in the name of the State of Indiana, on the relation of the Prosecuting Attorney, before any Justice of the Peace of the county, together with the costs of such action.

SEC. 114. There shall be elected, on the first Tuesday after the first Monday in November, 1892, and every four years thereafter, in each county in this State, one County Assessor, who shall possess the powers and perform the duties hereinafter specified: *Provided*, That no County Assessor shall be eligible for reelection until four years after the expiration of the term for which he shall have been elected: *And, provided further*, That on the first Monday of June, 1891, or as soon thereafter as practicable, the Board of County Commissioners of each county in the State shall elect, by ballot, a County Assessor to serve until the election and qualification of the Assessors, as provided by this act. Such County Assessor shall be a resident freeholder and householder of the county for not less than five

years before the date of such election. Within ten days after his election he shall give bond, with at least two good and sufficient freehold sureties, to the acceptance of the County Auditor, in the sum of five thousand dollars, payable to the State of Indiana, and conditioned for the faithful and impartial discharge of his duties according to law, and shall take and subscribe an oath or affirmation, to be endorsed on his bond, that he will faithfully, impartially, and honestly discharge the duties of his office to the best of his skill and ability, which oath shall be in the form, as near as may be, of the oath of office of Township Assessors, as set out in section 92 of this act. Said bond, so endorsed, shall be deposited with the County Auditor, who is also empowered to administer said oath. The Board of County Commissioners shall fill any vacancy in said office at any regular or special session. Said County Assessor shall receive three dollars per day for the time actually employed in the duties of his office, to be paid out of the County Treasury on the order of the Board of County Commissioners. Before such allowance is made, said County Assessor shall file with the Board of County Commissioners an itemized statement, duly verified, showing the time actually employed by him and the nature of his services.

SEC. 115. As soon as such County Assessor has qualified, he shall receive from the County Auditor all returns of real and personal property made by the Assessors of the several townships of the county, together with all assessment lists, schedules, statements, maps, and other books and papers filed with the Auditor by said Township Assessors. It shall be the duty of such County Assessor to make a careful examination of the tax duplicates of the county, and also of all other records and papers in the offices of the County Auditor, Treasurer, Recorder, Clerk, Sheriff, and Surveyor, and to list and assess at its true cash value, upon the proper Township Assessor's books and to the proper persons, all omitted assessable property, of every kind and nature whatever, including tax certificates, mortgage debts, judgments, claims and allowances of courts and legacies, and property in the hands of administrators, executors, guardians, assignees, receivers, trustees, and other fiduciaries. The valuation made on any omitted property by the County Assessor shall be entered in a separate

column under the head of "Valuation by County Assessor," immediately after the column containing the valuation by the Township Assessor, in the several lists and returns of said Township Assessors. The County Assessor shall have all the rights and powers given by law to Township Assessors for the examination of persons and property, and the discovery and assessment of property, and making lists and returns of the same. He shall, on or before the first Monday after the fourth day of July in each year, make return to the County Auditor of all Township Assessor's books, returns, lists, schedules, maps, and other papers received by him from the Auditor, together with such additional lists, assessments, books, and papers as he has made thereto; and all assessments so made by the County Assessor shall have the same force and effect as if made in the first instance by the Township Assessor. It shall also be the duty of the County Assessor, at any time during the year, to list and assess upon the proper Assessor's books in the office of County Auditor any omitted property that he may discover, and which should be assessed; and the same shall be placed upon the duplicate by the Auditor, and the taxes thereon extended and collected as in other cases. The County Assessor is hereby authorized and required to advise and instruct all Township Assessors of his county as to their duties under the law, and for this purpose he shall visit each Township Assessor during the months of April or May in each year. The County Assessor is also given the power hereinafter given to County Auditors and Treasurers as to assessment of omitted property after the meeting and adjournment of the Board of County Review in each year, and all the provisions of sections 144 and 184 of this act, as to notice or otherwise, so far as applicable, shall apply to such assessment by the County Auditor as if the same were made by the County Auditor or the County Treasurer. On order of the County Commissioners, duly entered of record at any regular or special meeting of the Board, the County Assessor may appoint one or more deputies, to serve such time, not exceeding thirty days in any one year, as the Commissioners shall direct, who shall have the same qualifications, possess the same powers, and perform the same duties as the Assessor, subject to his control and direction. They shall receive such compensation as the County Commissioners shall fix, not to exceed two dollars per day.

SEC. 116. There shall be an annual board for the review of all assessments and the equalization of the valuation of real and personal property in each county. Such board shall be composed of the County Assessor, County Auditor and County Treasurer. The County Assessor shall be president and the County Auditor secretary of said board, which shall be known as the "County Board of Review." The Board of Review shall meet for assessment, review and equalization of taxes, at the room of the County Commissioners in the court house of each county, on the first Monday after the fourth day of July, annually. Two weeks' previous notice, of the time, place and purpose of such meeting, shall be given by the County Auditor in some newspaper of general circulation printed and published in the county, or, if no newspaper be published in the county, then by posting up notices in three public places in each township in the county. Such board shall have the power to hear complaints of any owner of personal property, except "railroad track" and "rolling stock" of railroads, to equalize the valuation of property and taxables made subsequent to the preceding first day of April, and to correct any list of valuation as they deem proper. It shall also have power to equalize the valuation made by the Assessors, either by adding to or deducting therefrom their valuations, such sums as are necessary to fix the assessment at the true cash value. In all cases where the county board deems it necessary to add omitted property, or to increase the valuation thereof by the Assessor, it shall cause the names of the persons to whose lists property is to be added, or the valuation of whose property is to be increased, to be inserted in the notice hereinbefore provided for; or such board may, at its option, cause to be served upon the person to whose list property is to be added, or the valuation of whose property is to be increased, a written notice that it is proposed to revise or correct his list, but such notice need not specify the particulars in which it is proposed to revise or correct the list or returns, nor shall it be necessary to specify particularly in the published notice, but it shall be sufficient in any or all such notices to state generally that it is proposed to correct or revise the returns, list, statement or schedule of the person or persons named. In case such County Assessor neglects to give the written notice herein provided for, it shall be issued by the Auditor to the Sheriff of the county, who shall serve the same

at least three days before the same comes up before hearing. In case the Board adjudges that the returns, statement or schedule list shall be revised or corrected by adding property thereto, or by increasing the valuation of any property therein described, the tax-payer whose list, return, statement or schedule it adjudges shall be revised or corrected as aforesaid, shall be liable for all costs occasioned by such revision or correction. He shall correct all errors in the names of persons in the descriptions of property upon said list, and in the assessment and valuation of property thereon, and shall cause to be done whatever else may be necessary to make said lists and returns of assessments comply with the provisions of this act. He shall pass upon each valuation, and may, on sufficient cause being shown, or on his own motion, correct the assessment or valuation of any property in such manner as will, in his judgment, make the valuation thereof just and equal, and enter the valuation, when so changed by him, in a separate column. In all cases where a change has been made by him, or omitted property placed by him on the returns, two weeks' previous notice of the time, place and purpose of the meeting of the Board of Review shall be given by the County Assessor. A majority of said Board shall constitute a quorum for the transaction of business, and may decide any question. Before entering upon their duties the members of the Board of Review shall each take and subscribe an oath for the faithful and impartial discharge of their duties as members of said Board, which oath shall be administered by the Auditor to the Assessor and Treasurer, and by the Assessor to the Auditor, and shall be filed with the Auditor, and shall be in the form following:

STATE OF INDIANA, }
 COUNTY. } ss.

I,, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duty as a member of the Board of Review for said county; that I will, according to my best knowledge and judgment, assess, review, and equalize the assessment of all the property of said county, and that I will in no case assess any

property at more or less than its true cash value, as such value is defined by section 54 of the act concerning taxation, so help me God.

.....
 Subscribed and sworn to this day of, 18—

At such meeting the County Auditor shall submit to the Board of Review the assessment lists of the county as returned by the Township Assessors, and added to and returned by the County Assessor for the current year; and the board shall proceed to examine and review the same. In addition to his other duties, it will be the duty of the County Assessor to report to the Board of Review, for the action of the board, all corrections and changes in the returns and assessments of the Township Assessors which, in the judgment of the County Assessor, ought to be made. The Board of Review will consider and act upon all recommendations made by the County Assessor, and will also, of its own motion, or on sufficient cause being shown by any person, add to the assessment list the names of persons, the value of personal property, and the description and value of real estate liable to assessment and omitted on said lists. The board shall correct all errors in the names of persons, in the descriptions of property upon said lists, and in the assessment and valuation of property thereon, and shall cause to be done whatever else may be necessary to make said lists and returns of assessments comply with the provisions of this act. The board shall pass upon each valuation, and enter the valuation as fixed by it in a separate column. The list as prepared by the Assessors shall stand as approved and adopted as the act of the Board of Review, except as changed by a vote as herein provided. The board may, on sufficient cause being shown, or on their own motion, correct the assessment or valuation of any property in such manner as will, in their judgment, make the valuation thereof just and equal.

To that end the Board may examine, on oath, any person touching the matter. Any member of said Board may administer such oath. Said Board is hereby given full power to send for persons and papers and to compel witnesses to answer, under oath, touching any question concerning the assessment and valuation of property. The Sheriff of the county shall

serve all process and obey all orders of said Board, and the Board is given power to punish for contempt by fine not to exceed one hundred dollars, and imprisonment in the county jail not exceeding ten days all persons refusing to appear and testify before the Board. An appeal shall lie to the Circuit Court of the county from all orders of the Board inflicting such punishment, which appeals shall be governed by the laws providing for appeals in criminal cases from Justices of the Peace so far as applicable. Nothing, however, in this section shall be taken or construed to authorize the Board to assess any property at more or less than its true cash value, as the same is defined in section 54 of this act. Where it appears from the returns of the assessors, or from the corrections made in said returns by the Board, that any property owner has *bona fide* indebtedness, the same shall be deducted from the amount of his credits listed in the county and he shall be assessed only on the residue of his credits, which residue shall be fixed by the Board of Review.

SEC. 117. It shall be the duty of such Board at such meeting, to inquire as to the valuation of the various classes of property in the respective townships and divisions of the county, and to make such changes, whether by way of increase or decrease, in such valuations as may be necessary to equalize the same as between the townships or divisions of townships, and to determine the rate per cent. to be added or deducted in order to make a just and equitable equalization in the respective townships and divisions, so as to conform throughout the county to a just and equitable standard, reference being had to the natural and artificial characteristics and surroundings and other elements of value. Such Board shall also have power in proper cases to reduce or increase the valuation of any particular tract or lot. Such Board may consider lands, town lots and city lots as separate classes, if necessary, for the purpose of equalization, and determine a per cent. of addition or reduction for such or any of said classes within the respective townships, as between the several townships or other divisions. The Board shall have no power to reduce the aggregate valuation of all the townships below the true cash value, nor increase the same beyond the amount actually necessary for a proper and just equalization. If the Board shall find the aggregate assessment is too high or too low, or is generally so

unequal as to render it impracticable to equalize the same, it may set aside the assessment of the whole county, or of any township or townships therein, and order a new assessment, with instructions to the Assessors to increase or diminish the aggregate assessment of their respective townships in such amount as the Board may deem right and just and consistent with law. The duration of the session of the Board of Review shall not exceed eighteen days.

SEC. 118. The County Auditor shall keep a full and accurate minute of the proceedings of the Board of Review.

SEC. 119. Immediately upon the taking effect of this act the Governor shall appoint, by and with the advice and consent of the Senate, two skilled and competent persons, not more than one of whom shall be of the same political party, who, together with the Auditor of State, Treasurer of State, and Governor, the last three of whom shall, *ex officio*, be members, and the Governor chairman thereof, shall constitute and be a board to be denominated the State Board of Tax Commissioners, who shall perform the duties and have the powers hereinafter specified.

SEC. 120. The Governor shall commission the commissioners so appointed as aforesaid, and before entering upon the discharge of their official duties, they shall each execute a bond payable to the State of Indiana, in the penal sum of \$10,000, with sureties to the approval of the Governor, for the faithful discharge of their official duties, and they shall each take and subscribe an oath of office, as hereinafter set out, which oath shall be indorsed upon their official bond, which bond and oath, when so executed, shall be filed in the office of the Secretary of State.

SEC. 121. The members of the first board confirmed by the Senate hereunder, shall hold their offices, one for two years and one for four years, the said members to determine by lot, after they are chosen, in any manner they may agree upon, which one shall hold his office for two years and which one for four years, respectively. And thereafter persons so chosen as members of such board shall hold their office for a term of four years.

SEC. 122. It shall be the duty of the State Board of Tax Commissioners:

First. To prescribe all forms of books and blanks used in the assessment and collection of taxes, and to change such forms where prescribed by law, in case any such change shall be necessary.

Second. To construe the tax and revenue laws of the State and instruct them in relation to their duties with reference to taxation and assessments, whenever requested so to do by any officer acting under any such laws, or by any other person interested therein.

Third. To see that all assessments of property in this State are made according to law.

Fourth. Especially to see that all the railroads and other corporations of the State are assessed and taxed as provided by law.

Fifth. To see that all taxes due the State are collected.

Sixth. To enforce penalties prescribed by any revenue law of the State for disobedience of its provisions.

Seventh. To determine, whenever necessary, the amount required to be levied upon property in the several counties to cover any deficiency in the State revenue, not otherwise provided for.

Eighth. To examine all books, papers and accounts, and to interrogate under oath, or otherwise, all persons necessary to enable the Board to acquire and obtain all information that could in any manner aid it in securing a compliance with the tax and revenue laws of the State by all persons or corporations liable to taxation, or to pay any license fee under any law in force in this State.

Ninth. To make such rules and regulations as the Board shall deem proper to effectually carry out the purposes for which the Board is constituted, and to make all necessary rules and regulations, not inconsistent with the law, as the Board may deem necessary with respect to its own meetings and procedure.

Tenth. To report to the General Assembly, at each session, the whole amount of revenue collected in the State for all purposes, classifying as to State, county, township and municipal purposes, with the sources thereof, the amount lost and the causes of the loss, the proceedings of the Board, and such other matters of information concerning the public revenues, as they may deem of public interest.

Eleventh. To make diligent investigation and inquiry concerning the revenue laws and systems of other States and countries, so far as the same are made known by published reports or statistics, or can be ascertained by correspondence with officers thereof, and with the aid of information thus obtained, together with experience and observation of our own laws, to recommend to the General Assembly at each session thereof, such amendments, changes, or modifications of our revenue laws as may seem proper or necessary to remedy injustice or irregularity in taxation, or to facilitate the assessment and collection of the public revenues.

Twelfth. To see that each county in the State be visited by at least one member of the Board, as often as once a year, to the end that complaints concerning the law may be heard, and that information concerning its workings may be collected. That all revenue officers comply with the law, and all violations thereof be punished, and that all proper suggestions as to amendments and changes may be made.

SEC. 123. A record of the proceedings of such Board shall be kept at the capital, open to inspection of the public.

A majority of such Board shall constitute a quorum to do business.

SEC. 124. The members of said Board, except the Auditor, Treasurer and Governor, shall each receive as compensation for his services the sum of twenty-five hundred dollars a year, payable quarterly out of appropriations to be made for that purpose. They shall also receive traveling expenses actually paid, necessary to the performance of the duties of the office, which expenses shall be itemized by the person incurring the same, and when the account of the same is approved by the Governor it shall be paid, and not otherwise.

SEC. 125. The said Board, or any member thereof, shall have power to subpœna and examine witnesses, to administer oaths, and shall have access to and the power to order the production of any books or papers in the hands of any person, company or corporation, whenever necessary in the prosecution of any inquiries necessary or proper in their official capacity.

SEC. 126. Any person who shall disobey any subpœna, or subpœna *duces tecum* of said Board, or any member thereof, or refuse to testify when requested so to do by said Board, or any member thereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than \$50, nor more than \$1,000 for each offense.

SEC. 127. Appeals shall lie from the decision of any County Board of Review to the State Board of Tax Commissioners, which shall hear and determine the same, in such manner as it may by its rules prescribe, and certify its decision, which shall be final, to the proper County Auditor: *Provided*, That all such appeals shall be allowed within such time and under such restrictions as may be prescribed by the State Board of Tax Commissioners; but the pendency of such appeals shall not operate to stay the collection of any tax, except by special order of the Board and upon such conditions as it may prescribe.

SEC. 128. The duties imposed by this act, as specifically set out in section 3, so far as the same can be consistently done, shall be done and performed by the two members of the Board specially chosen to act as such, and the Governor, Auditor and Treasurer of State shall only be required to sit with the Board and take part in its proceedings when performing the duties heretofore devolving upon the State Board of Equalization, and at such other times and under such other circumstances as may be rendered necessary in order to effectually carry out the purposes of this act.

SEC. 129. In case a vacancy shall occur by reason of the death, resignation, or removal of either of the Commissioners specially chosen to act as such, the Governor shall appoint a successor to fill out the unexpired term of the officer whose office is thus made vacant; and in such appointment the Governor shall appoint a person from the same political party as the officer whose office is thus made vacant.

SEC. 130. It shall be the duty of the Custodian of Public Buildings and Property to furnish a suitable room in the Capitol building, and the Auditor of State shall provide all such printing and stationery as may be necessary for the transaction of the business of said Board.

SEC. 131. The State Board of Tax Commissioners shall annually convene in the office of the Auditor of State on the first Monday of August each year for the purpose of assessing railroad property and equalizing the assessment of real estate as provided in this act. Said Board shall organize with the Governor as President, and the Deputy Auditor of State, or one of the clerks in the office of the Auditor of State, shall act as Secretary. The State Board of Tax Commissioners is hereby given all the powers given to County Boards of Review. They shall not be bound by any reports or estimates of value of railroad property, real estate or other property, as returned to the County Auditors or to the Auditor of State, but shall appraise and assess all property at its true cash value, as defined by this act, according to their best knowledge and judgment, and so as to equalize the assessment of property throughout the State; they shall have the power to send for persons, books and papers, to examine records, hear and question witnesses, to punish for contempt any one who refuses to appear and answer questions by fine not exceeding one thousand dollars, and by imprisonment in the county jail of any county not exceeding thirty days, or by both. Appeals shall lie to the Criminal Circuit Court of Marion County from all orders of the Board inflicting such punishment, which appeals shall be governed by the laws providing for appeals in criminal cases from Justices of the Peace as far as practicable. The Sheriffs of the several counties of the State shall serve all process and execute all orders of the Board. Any member of the Board may administer any oath. All necessary costs and expenses of said Board shall be paid out of the State Treasury on warrants of the Auditor, on being duly certified by the Board.

SEC. 132. The several persons constituting the Board, as herein provided, before entering upon the discharge of their duties as members of said Board, shall each take and subscribe an oath for the faithful and impartial discharge of their duties

as members of such Board, which oath, together with the oath of the Secretary, shall be filed and preserved with the proceedings of the Board. Which oath shall be in the form following, to-wit:

STATE OF INDIANA, }
MARION COUNTY. } ss.

I,, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, that I will faithfully and impartially discharge my duties as a member of the State Board of Tax Commissioners, that I will, according to my best knowledge and judgment, assess and equalize the property of the several counties of the State, and that I will in no case assess any property at more or less than its true cash value, as the same is defined in section 54 of the act concerning taxation, so help me God.

.....
Subscribed and sworn to this day of, 189....
.....

SEC. 133. The Secretary shall take and subscribe an oath for the faithful performance of his duties as said Secretary, and shall keep a record of the proceedings of the Board, which shall be certified by the President and Secretary, and filed in the office of the Auditor of State.

SEC. 134. Any three members of said Board shall constitute a quorum for the transaction of business, and the Board may adjourn from time to time until the business before it is finally disposed of, but the duration of their sessions shall not exceed forty days.

SEC. 135. It shall be the duty of said Board to examine the abstracts of all the real property assessed for taxation in the several counties of this State, as returned by the Auditor of State, and shall equalize the assessments as hereinafter provided; but said Board shall not reduce the aggregate assessed valuation in the State, neither shall it increase said aggregate valuation beyond the true cash value, as defined in this act.

SEC. 136. For the purpose of properly equalizing the valuations of real property and railroad property within the State, it shall be the duty of County Auditors, on or before the 20th day

of July of each year, upon the receipt of the assessment books, to make out and transmit to the Auditor of State an abstract of the assessment of property, showing the number, value, and average value of each class or kind of enumerated property, as shown by the assessment, the value of each item of unenumerated property, and total value of personal property; the value of all land in each civil township without improvements, the value of all improvements thereon, and the value of such land with improvements, and in like order all city or town in-lots and out-lots, showing the value of such lots without improvements, the value of improvements, and the value of such lots with improvements; the length of the main track or tracks, and the length of the side-track or tracks, the number or descriptions, the value and average values of each separate item of railroad property. Such abstract shall be arranged in such manner as to show by civil townships the number of acres, value and average value of improved lands, and in like manner the number of acres, value and average value of unimproved lands, total number of acres, total value and average value per acre of all lands, the number and value and average value of improved town or city lots; the number, value, and average value of unimproved town or city lots; the total number of lots, total value and average value of all lots, and the total value of all property, real and personal. Said abstract shall be made out on blanks, which it shall be the duty of the Auditor of State to furnish the County Auditor for that purpose. The value to be given in said abstract shall be the assessed valuation, except in the case of railroad property, denominated railroad track and rolling stock, the value of which shall be given as returned by the railroad company to the County Auditor. The County Auditor shall at the same time, and accompanying said abstract, furnish a detailed statement of the railroad property, denominated railroad track and rolling stock, reported by each road, located in or through their counties. If there are any roads so located that have not made their report as required by this act, the County Auditor shall report the facts, giving the name of such railroad, and in case of the failure on the part of any County Auditor to furnish the proper returns of the assessment of his county to the Auditor of State prior to or during the meeting of State Board of Tax Commissioners in each year, said Board may, by order,

authorize the Auditor of State to equalize the assessment of such county when full returns have been received by him.

SEC. 137. Said Board, in equalizing the valuation of property as listed and assessed in the different counties, shall consider the following classes of property separately, viz: Railroad property, lands, and town and city lots, and upon such consideration determine such rates of addition to or deduction from the listed or assessed valuation of each of said classes of property in each county, or to or from the aggregate assessed value of each of said classes in the State, as may be deemed by the Board to be equitable and just, such rates being in all cases even, and not fractional, and such rates as finally determined by said Board shall not be combined.

SEC. 138. Counties shall be equalized by adding to the aggregate value of the lands, town and city lots in every county in which said Board may believe the valuation to be too low, such rate per centum as will raise the same to its proper proportionate value, and by deducting from the aggregate assessed value thereof, in every county in which said Board may believe the valuation to be too high, such per centum as will reduce the same to its proper value as defined in this act.

SEC. 139. Said Board shall also assess the railroad property, denominated in this act as "railroad track" and "rolling stock," at its true cash value, and said board is hereby given the power and authority, by committee or otherwise, to examine persons or papers. The amounts so determined and assessed shall be certified by the Auditor of State to the County Auditors of the proper counties. The County Auditor shall, in like manner, distribute the value so certified to him by the Auditor of State to the several townships, cities and towns, in his county, entitled to a proportionate value of such railroad track and rolling stock; and said Auditor shall compute and extend taxes against such value the same as against other property in such townships, cities and towns.

SEC. 140. When said Board shall have separately considered the several classes of property as hereinbefore required, the result shall be combined into one table, and the same shall be examined, compared and perfected in such manner as said

board shall deem best to accomplish a just equalization of assessment throughout the State, preserving, however, the principal separate rates from each class of property.

SEC. 141. When said Board shall have completed its assessments, and its equalization of assessments, for any year, it shall certify to the Auditor of State the rates finally determined by said board to be added or deducted from the listed or assessed valuation of each class of property in the several counties, and also the amounts assessed by said Board, and it shall be the duty of said Auditor, under his seal of office, to report the action of the board to the several County Auditors immediately after the adjournment of said board.

SEC. 142. All rates for taxes provided for by law shall be computed and extended by each County Auditor on the Assessor's valuation of property, as equalized by the County Board of Review and State Board of Tax Commissioners, except as otherwise provided by law: *Provided, however,* All such taxes as may be from time to time assessed against the property of railroads, denominated in this act, "railroad track" and "rolling stock," except such as are assessed in cities and towns for city and town purposes, shall be denominated the "State General Fund," and when collected shall be paid over by each County Treasurer to the State Treasurer, at the times and in the manner now provided by law in the payment of moneys found due for State purposes, and when so paid in is to become a part of the General Fund of the State: *And, provided further,* That if in any county such "State General Fund" amounts to more than a levy of twenty cents on the one hundred dollars of all the assessed property in such county, then such excess shall be retained in such county and distributed as other county and township taxes.

SEC. 143. A report of all the proceedings of said State Board of Tax Commissioners shall be published annually, in pamphlet form, and three thousand copies thereof printed, of which number the Auditor of State shall retain two hundred copies, and the remainder shall be distributed by him to the several counties in the proportion usual in similar cases.

SEC. 144. Whenever the County Auditor shall discover or receive credible information, or if he shall have reason to believe that any real or personal property has, from any cause,

been omitted, in whole or in part, in the assessment of any year or number of years, from the assessment book, or from the tax duplicate, he shall proceed to correct the tax duplicate, and add such property thereto, with the proper valuation, and charge such property and the owner thereof with the proper amount of taxes thereon, to enable him to do which, he is invested with all the powers of Assessor under this act. But before making such correction or addition, if the person claiming to own such property, or occupying it, or in possession thereof, resides in the county and is not present, he shall give such person notice, in writing, of his intention to add such property to the tax duplicate, describing it in general terms, and requiring such person to appear before him, at his office, at a specified time within five days after giving such notice, and to show cause, if any, why such property should not be added to the tax duplicate; and if the party so notified does not appear, or if he appears and fails to show any good and sufficient cause why such assessment shall not be made, the same shall be made, and the County Auditor shall, in all cases, file in his office a statement of the facts or evidence on which he made such correction; but he shall in no case reduce the amount returned by the Assessor without the written consent of the Auditor of State, given on the statement of facts submitted by the County Auditor.

SEC. 145. The Auditor of each county shall, between the first Monday in July and the last day of December, make out a duplicate list of taxes assessed in said county according to the forms which shall be furnished by the Auditor of State, and, in so doing, he shall enter in separate columns :

First. All lands in each civil township, with the names of the owners in alphabetical order, the value of the land without improvements, and opposite to the value of improvements thereon.

Secondly. In like order he shall enter all city and town in-lots and out-lots situated in such township, with the improvements thereon.

Thirdly. In its place, all corporation stock, except stocks in banks, which shall be assessed and taxed in the town or city where the bank is located, as in this act elsewhere provided.

Fourthly. All other personal property subject to taxation, and which shall be charged, together with the poll-tax in the civil township where the owner resides, but when personal property is required to be listed in a township different from that of the owner's residence, it shall be taxed in the township where listed.

Fifthly. He shall number each original township in regular progression as the same shall stand entered on his duplicate, and the same township shall retain the same number from year to year; and,

Sixthly. He shall number each name in each township in regular progression. The County Auditor, in making out such duplicate, shall be careful to enter thereon all the lands previously entered for taxation, with the valuation thereof, as heretofore assessed, and all such lands as by mistake or neglect or for any other cause, shall have been omitted to be entered; also, all such lands as shall be found to have become subject to taxation since the last assessment, with such valuation as shall be affixed thereto by the Assessor; and he shall enter all personal property according to the list of the last assessment made in conformity to this act, giving a pertinent description of all property thus entered on his duplicate, and duly enter all transfers of land made since the last assessment, and carry into effect all alterations which shall be made in the Assessor's list by the Board of Review.

SEC. 146. The County Auditor shall estimate in dollars and cents, rejecting fractions of a cent, and set down on such duplicate in one column, the State, county, school, township, road, and all other taxes chargeable on the valuation of property contained in such duplicate, including also the poll-tax for State, county, and all other purposes, and he shall set down in a separate column the amount of taxes on all property returned delinquent, specifying the years and the amount remaining unpaid, with the proper penalty on the same added, and shall carry out the aggregate amount into a column of totals.

SEC. 147. He shall set down the amount of taxes charged against each tax-payer, in two separate columns; the first installment, embracing all road taxes, and one-half of all other taxes, shall be placed in the first column, and the second installment, embracing the other half, shall be placed in the

second column, with a sufficient blank space at the right of each column to write, in ink, the word "paid," and when payment of either half of such taxes shall be made, the Treasurer shall write in a blank space opposite the same, the word "paid," and shall execute a receipt therefor in the usual form now used, except that it shall state which installment the payment is entitled to apply to, and if for the last installment, shall state upon its face "in full."

SEC. 148. He shall add on each page of such duplicate the several columns containing the valuation of real and personal estate, taxes, charges, and the number of acres, carrying the same forward from page to page to the close of each township, and at the end of the duplicate he shall recapitulate the several townships and apportion the amount of taxes levied on the property in each township, and set down in separate columns the amount of State, county, school, township, road, and all other taxes levied, and add the aggregates of the above for the whole county.

SEC. 149. He shall, from time to time, correct all errors which he may discover in his duplicate, either in the name of the person charged with taxes, the description of the property, or the amount of taxes charged, and shall add, from time to time, any corrections or additional assessments made on the Assessor's books by the County Assessor, and when such correction is made after the duplicate shall have been delivered to the Treasurer for collection, the Auditor shall give a certificate of such correction to the Treasurer, who shall make the like correction on his duplicate, and keep such certificate as his voucher on settlement with the Auditor.

SEC. 150. He shall cause a copy of such duplicate to be delivered to the Treasurer of his county, on or before the last day of December in each year, and he shall also make out and cause to be transmitted to the Auditor of State, on or before the first day of January in each year, a complete abstract of all the property listed in each township, the valuation thereof, the number of polls, the amount of each kind of tax, and the aggregate thereof in the county, and certify the same, as also the rate of each kind of tax assessed.

SEC. 151. The County Auditor shall keep a transfer book, arranged by townships, cities and towns, in which he shall

enter a description for the purpose of taxation of all lands that have been conveyed by deed or portion, with the date of the conveyance and names of the parties, and he shall indorse on such deed or instrument of conveyance the words "duly entered for taxation," or that it is "not taxable," or "has already been listed for taxation," and for every such transfer he shall receive from the party recording such instrument a fee of ten cents for each parcel of ground or lot so transferred. He shall take care that all descriptions for the purpose of taxation are correct, and that the owners' names are properly transcribed. Where the property is already in the name of the right owner, and needs no transfer, he shall not receive the fee of ten cents.

SEC. 152. As soon as the County Treasurer receives such duplicate, he shall forthwith cause notice to be posted up at the court-house door, and in three other public places in the county, and also cause the same to be published in one weekly newspaper having general circulation in his county, if any there be, for three weeks successively, stating in such notice the amount of tax charged for State, county, school, road, or other purposes, on each one hundred dollars valuation of the taxable property, also the tax on each poll for State, county, or other purposes.

SEC. 153. Such Treasurer shall attend at his office at the seat of justice, in person or by deputy, for the purpose of collecting the taxes charged on said duplicate, until the third Monday of April next thereafter.

SEC. 154. Any person or tax-payer charged with taxes on the tax duplicate in the hands of the County Treasurer may pay the full amount of such taxes on or before the third Monday in April, or may, at his option, pay the first installment on or before such third Monday, and the remaining installments on or before the first day of November following: *Provided, however,* That all road taxes charged shall be included in the first installment: *And, provided further,* That in all cases where the first installment shall not be paid on or before the third Monday in April, the whole amount unpaid shall become due and be returned delinquent, and collected as provided by law, and there shall be a penalty added of ten per cent. upon the

amount of any installment not paid when due, which the persons or property assessed shall pay, together with cost of collection; and if such taxes remain delinquent at the succeeding first Monday in November, there shall be a penalty of six per centum added to all such taxes that become delinquent at the preceding April and November settlements, and a penalty of ten per centum only shall be added to the current delinquency occurring on the first Monday in November.

SEC. 155. After the third Monday of April the Treasurer shall cause a list to be made of the delinquents, with the amount due from each, and with a separate column headed "return" which list shall be certified to be correct by the County Auditor, and shall then proceed with such list, which, when so certified, shall be sufficient authority, and have the same force and effect as an execution, to call, either in person or by deputy, upon every person named in the duplicate who is delinquent, and who resides in the county, and he shall make a demand for the amount of such delinquent taxes, and the penalty thereon, of each resident delinquent, and if the taxes and penalty are not paid on such demand he shall proceed immediately to levy upon sufficient personal property of such delinquent to pay such taxes, penalty and the costs of sale, and to settle the same in the manner and at the place hereinafter provided. In case such delinquent tax and penalty is paid upon demand, such Treasurer shall charge and receive from such delinquent, in addition to the taxes and penalty, the sum of twenty-five cents, and where a levy is made he shall charge and receive, in addition to his other costs, the sum of fifty cents for such demand. When he can find no personal property of such delinquent within the county upon which to levy, after diligent search therefor, he shall make, opposite the name of said person on said list in the column marked "return," a special return, setting forth the fact that he had made diligent search in the county for personal property of such delinquent, and was unable to find any upon which to levy for the payment of the taxes due thereon, which return shall be *prima facie* evidence of the facts therein recited.

SEC. 156. County Auditors shall not be authorized to credit the Treasurer with any uncollected delinquency for which he

claims credit, unless such Treasurer shall show, by proper returns as above provided, verified by his oath or affirmation, that he has diligently sought for and has been unable to find any personal property from which to collect such taxes, or that having made a levy, he was enjoined or otherwise prevented from making sale or collection by a court of competent jurisdiction; and in all cases where he has failed to make demand upon residents who are delinquent, or to levy and sell when personal property can be found in the county out of which to make the tax, he shall be liable, on his official bond, for such uncollected delinquency and ten per cent. damages thereon.

SEC. 157. When he levies upon personal property the delinquent may retain the possession of such personal property for sixty days, and until the day of sale, by giving such Treasurer a joint and several delivery bond, payable to the State of Indiana, with good freehold surety, to be approved by such Treasurer, in a penalty at least double the amount of the taxes and cost, conditioned that such personal property will be delivered at the door of the Court House of the county, or such other place as the Treasurer may designate, and at the time named therein, to be sold by such Treasurer at public auction, or that such obligors will then and there pay such Treasurer the amount of said delinquent taxes, penalty and cost. If such bond be not given he shall cause the property to be removed from the place the same is levied on, and to be stored in some secure place in his own name as Treasurer.

SEC. 158. Such bond may be substantially in the following form, the names, description, amount and place of sale being changed to suit each particular case:

We, Richard Swiveller, as principal, and Jonathan Thickstone, as surety, are jointly and severally bound unto the State of Indiana in the penal sum of fifty dollars, on the following condition:

WHEREAS, Peter Bellis, as Treasurer of Clark County, has this day levied upon one bay horse of the value of fifty dollars, to satisfy the taxes, penalty and cost for the year 1890, due from said Richard Swiveller. Now, if the said Richard Swiveller shall deliver said horse to said Bellis at 10 o'clock A. M. on the 20th day of June, 1891, at the door of the court house in

Jeffersonville, to be sold to pay said taxes, penalty and cost, or will then and there pay to said Bellis the full amount of said taxes, penalty and cost, then this bond shall be void, else in full force.

Witness our hands and seals, May 4, 1891.

[Seal.]

RICHARD SWIVELLER,

[Seal.]

JONATHAN THICKSTONE.

Approved by me May 4, 1891.

PETER BELLIS,

Treasurer of Clark County.

SEC. 159. The Treasurer shall give public notice of the time and place of sale, and of the property to be sold, at least ten days previous to the day of sale, by advertisement, to be posted up in at least three public places in the township where such sale shall be made.

SEC. 160. Such sale shall be by public auction, at the Court House door or place designated by the Treasurer, and no more property shall be sold than sufficient to pay the tax, cost and charges. The Treasurer, if he receives no bid to the amount of the tax, penalty and cost due, may in his discretion, if he thinks the property is ample surety for the tax, purchase the same in behalf of the State of Indiana, and if the same is not redeemed within the period prescribed by law he shall then re-expose the same for sale to the highest bidder for cash, after giving the same notice, as is provided hereinbefore, and if there is any surplus after paying this tax, penalty and cost, said surplus shall be returned to the owner of said property.

SEC. 161. Nothing contained in the preceding section shall prevent the Treasurer from collecting delinquent taxes at any time by levy and sale of personal property. Whenever he has reason to believe that any person charged with tax is about to remove from the county without payment of his tax, he may at any time levy such tax and charges by distraint and sale of personal property, and it is hereby made his duty to levy and collect all delinquent taxes whether they be charged upon a current year's duplicate or otherwise, as well before as after his return and settlement for a current year's taxes.

SEC. 162. For levying and making such sale of personal property to pay delinquent taxes, in addition to the fee for the

demand upon the resident delinquent the Treasurer shall be allowed the same fees and charges as are allowed by law to Constables for making levy and sale of personal property on execution, and expenses for taking care of property levied.

SEC. 163. The County Treasurer shall demand payment of all taxes assessed on incorporated companies, except National banks and building and loan fund associations from the President or other proper officer of such companies, in the same manner as in other cases, and if not paid shall proceed in the collection and payment thereof and penalties thereon in the same manner as in other cases, and shall be liable to the same penalties for the non payment of moneys collected by him.

SEC. 164. If such County Treasurer shall not be able to collect any tax assessed upon any incorporated company, he shall return the same to the County Auditor, and be allowed therefor as in other cases, and the County Auditor shall certify the same, with the delinquent taxes, to the Auditor of State.

SEC. 165. If any such company shall not have personal or real estate out of which to make such delinquent taxes, the Auditor of State may, if he deem it expedient, cause to be filed in a proper court, a bill against such company for the discovery and sequestration of its property, which court shall order such part of the property of such company to be sequestered as they shall deem necessary for the purpose of satisfying the taxes, penalties and interest in arrears, with the cost of prosecution, and they may also, at their discretion, enjoin such company and the officers thereof from any farther proceedings under their act of incorporation, and may order and direct such other proceedings as they shall deem necessary to compel the payment of such taxes, penalties, interest and costs, or such tax, penalties or interest may be recovered with cost from such delinquent company by action in the name of the State, or on the relation of the Auditor of State, in the Circuit Court of the proper county.

SEC. 166. Whenever any person who is delinquent for the non-payment of taxes shall have removed from the county in which he was assessed to any other county in this State, it shall be the duty of the said Treasurer, in making such return, to write opposite the name of such person the words, "removed

from this county," also the name of the county to which such person shall have removed, if known to such Treasurer, if the same can be discovered upon inquiry.

SEC. 167. It shall be the duty of the County Auditor, whenever he shall be advised by the return of the Treasurer, or by any other means, that any delinquent tax-payer has removed, as aforesaid, if such Auditor shall be satisfied that there is a reasonable prospect of collecting said taxes, to make out a list of taxes owing by such person, specifying therein what is State and what are county, school and road taxes, which list shall be certified to be correct, under the hand and seal of such Auditor, and the said Auditor shall transmit the said list to the Auditor of the county to which such person shall have removed; and the said County Auditor for making out and transmitting the said statement, shall be entitled to the sum of fifty cents.

SEC. 168. The County Auditor to whom such list shall be sent, shall immediately enter the same on his tax duplicate, and charge the Treasurer of his county with the amount, and instruct him to collect the same.

SEC. 169. The said County Treasurer of the county to which such person has removed shall proceed to collect the said taxes, interest, damages and fees, and in so doing he shall be governed by the provisions of this act and the laws regulating the duties of County Treasurers, and when the same is collected the County Treasurer shall pay the same into the State Treasury. The county, school and road tax and fees shall be entered to the credit of the county entitled to the same, and the Treasurer of State shall pay the same over to the proper County Treasurer.

SEC. 170. The Auditor and Treasurer of the county to which such statement shall have been sent, shall be allowed the same fees as they are now allowed, or may hereafter be allowed, for similar services.

SEC. 171. It shall be the duty of every administrator, executor, guardian, receiver, trustee, or the person having the property of any decedent, infant, idiot, or insane person in charge, to pay the taxes due upon the property of such decedent, ward or party, and in case of his neglecting to pay any

installment of taxes when due, when there is money enough on hand to pay the same, the County Treasurer shall present to the Circuit or other proper court of the county, at its next term thereafter, a brief statement in writing, signed by him as such County Treasurer, setting forth the fact and amount of such delinquency, and such court shall at once issue an order directed to such delinquent, commanding him to show cause within five days thereafter why such tax and penalty and costs should not be paid, and upon his failing to show good and sufficient cause for such non-payment, the Court shall order him to pay such tax out of the assets in his hands belonging to the estate of said decedent, ward or other person; and such delinquent shall not be entitled to any credit in any settlement of said trust for the penalty, interest and cost occasioned by such delinquency, or by the order to show cause, but the same shall be a personal charge against him, and he shall be liable on his official bond for such penalty, interest and costs.

SEC. 172. Every executor, administrator, guardian, trustee, receiver, or person having the property of another in charge as aforesaid, who shall be put to any personal expense in paying the taxes of the estate of such decedent, ward or other person, by advancing the money therefor, shall be allowed the amount of the same, with legal interest, up to the time that he is reimbursed from the funds of such estate, and such advancement shall be deemed in all courts a just charge against the estate of the person or persons for whose benefit the same was advanced.

SEC. 173. Nothing herein contained shall prevent the County Treasurer from levying upon and selling the property of the estate of any decedent or any ward or person whose property is held in trust by another for the payment of any delinquent taxes in the same manner as other property is sold to pay delinquent taxes, and the remedy given to the County Treasurers by the provisions of this act shall be regarded as only cumulative, but every person holding property, either as executor, administrator, guardian, or in any other representative or fiduciary capacity, who shall neglect or refuse to pay the taxes listed and due thereon, shall be liable in any action to the heirs of such decedent, or to such ward, *cestue que trust*, for any damages sustained by such neglect or refusal.

SEC. 174. The lien of the State for all taxes for State, county, school, road or township purposes shall attach on all real estate on the first day of April annually, and such lien shall be perpetual for all taxes due from the owner thereof, which have heretofore accrued or shall hereafter accrue, with the interest and penalties in each case until payment; which lien shall in nowise be affected or destroyed by any sale or transfer of any such real estate.

SEC. 175. All the property, both real and personal, situated in any county, shall be liable for the payment of all taxes, penalties, interest and costs charged to the owner thereof in such county, and no partial payment of any such taxes, penalties, interest or cost shall discharge or release any part or portion of such property until the whole be paid; which lien shall in nowise be affected or destroyed by any sale or transfer of any such personal property, and shall attach on the first day of April annually, for the taxes of such year.

SEC. 176. If any such partial payment be made, and the payer desires it to be applied on any particular property, real or personal, the property so designated shall not be sold for the residue of the taxes due, if property of the same description can be found sufficient to make the balance due.

SEC. 177. The Treasurer shall receive the tax on a part of any real estate charged with taxes, provided the person paying such tax shall furnish a particular specification of such part and shall pay a like proportion of all the several taxes charged thereon for State, county, road or other purposes; and if the tax on the remainder of such real estate shall remain unpaid, the Treasurer shall enter such specification on his return to the County Auditor, to the end that the part on which the tax remains unpaid, may be clearly known; but such payment shall not discharge any lien of the State, as provided for in this act.

SEC. 178. . Whenever any person shall pay the taxes charged on any property, the Treasurer shall enter such payment in his cash book, give a receipt therefor, specifying for whom paid, the amount paid, what year paid for, and the property and value thereof on which the same was paid, according to its description on the duplicate, in whole or in part of such description, as the case may be; and such entry and receipt shall

bear the genuine signature of the Treasurer, or his deputy, receiving such payment; and whenever it appears that any receipt for the payment of such taxes shall be lost or destroyed, the entry so made shall be read in evidence in lieu thereof. The Treasurer shall enter the name of the owner or of the person paying the tax opposite each tract or lot of land when he collects the taxes thereon, and the postoffice address of the person paying such tax.

SEC. 179. Any person who has a lien upon any lands returned for the non-payment of taxes may pay the taxes, interest and charges thereon, and the receipt of the County Treasurer therefor shall constitute an additional lien on such land to the amount therein specified, and the amount so specified shall be collectible, with interest thereon, in the same manner as the original lien.

SEC. 180. Whenever the occupant or tenant of any real estate shall have paid the taxes thereon, or the same shall have been collected by him, and any other person, by agreement or otherwise, ought to pay such tax, or any part thereof, such occupant or tenant shall be entitled to recover by action the amount which such person ought to have paid, or to retain the same from any rent due or accruing to such person from him for the land so taxed.

SEC. 181. Whenever any County Treasurer shall, by mistake, have charged himself with and accounted for, any tax that shall not have been paid to him, such tax shall be deemed, and taken as due him personally, whether in or out of office, and may be, by him, collected in the same way as other taxes due and unpaid are collected. The same shall bear legal interest, and be collectible in the same manner as the original lien.

SEC. 182. Delinquent taxes, with penalty, interest and cost, may be paid to the County Treasurer at any time before property is sold therefor.

SEC. 183. The County Treasurer shall keep a cash book, in which he shall enter, at the time of its reception, the amount of money received by him for taxes, and from all other sources, from any person, company or corporation, the date of its reception and the name of the person paying the same, and des-

ignating particularly each item received for taxes. He shall, at the close of each month, report the total amount of such cash entries and the account on which it is paid to the County Auditor, who shall preserve such report, and such County Treasurer shall keep said cash book in his office during his official term, and on going out of office he shall deliver the same to the County Auditor to be preserved as a public record.

SEC. 184. Whenever the County Treasurer shall discover, or receive credible information, or if he shall have reason to believe at any time that any of the property, real or personal, or the poll of any person liable to pay tax, has not been assessed by the Assessor, or that any real or personal property has been omitted in the assessment of any year, or number of years, from the assessment books, or from the tax duplicate, or that any person, company or corporation has, from any cause, omitted to list any part of his, her or their property for any year, or number of years, or has in any year, or number of years, given a false, or incorrect, or partial statement of any of the property required by this act to be listed, or that any real property, by reason of defective description thereof, has failed to pay taxes for any year, or number of years, or that the tax for which the said property was liable has not been paid, or shall discover before the meeting of the County Board of Review that any of the Assessors have not returned the full value of the assessables of any person required to be listed, or have made any erroneous return of such assessables, he shall report the same forthwith to the County Auditor, whose duty it shall be to correct the tax duplicate in his office, and at the same time to correct in like manner the duplicate in the hands of the County Treasurer, adding such property or polls thereto, and also adding the assessments and valuation thereon. The County Treasurer shall then collect the taxes thereon the same as if they had been assessed by the Assessor. All property so assessed shall be rated at its true cash value. As to notice to the person when not present, if residing in the county, the Treasurer shall be governed by the provisions of the foregoing sections in relation to Assessors and Auditors, but he shall not be required to assess the property upon actual view, or to furnish the owner thereof with a blank list.

SEC. 185. Between the first Monday of December and the first of January, annually, the County Auditor shall make out and record, in a book to be provided for that purpose, a list of lands and lots, returned and remaining delinquent for taxes, including as well the lands of those whose personalty, as assessed on the tax duplicate, is less in value than the taxes charged against the lands or lots, describing such lands or lots as the same are described in the tax duplicate, and charging them with the amount of delinquent tax, with interest and a penalty of ten per centum on such taxes; also with the taxes of the current year, and shall certify to the correctness thereof, with the date when the same was recorded, and sign the same by himself or deputy officially.

SEC. 186. The Auditor shall cause a copy of such list to be posted on the door of the court house, and also in some public and conspicuous place in each township, at least three weeks before the day of sale, and shall have such list printed in one weekly newspaper of the county for three consecutive weeks before such sale. It shall only be necessary in the posted list to state in the aggregate the amount of taxes, penalty, interest and cost due thereon, including the taxes for the current year. To such list shall be attached and in like manner so posted, a notice that so much of said lands and lots as may be necessary to discharge the taxes, interest and charges which may be due thereon, or due from the owner thereof, at the time of sale, will be sold at public auction at the court house door of such county, on the second Monday in February next thereafter, commencing at 10 o'clock of said day, and continuing from day to day thereafter until all are offered. The County Auditor shall, on or before the day of sale, insert at the foot of such list on his record a copy of such notice, and certify on said record immediately following such notice the manner in which the same was posted, and the place where the same was posted, and for what length of time it was printed and posted. The expense of such printing, when had, shall be paid out of the county treasury, and it shall not exceed twenty cents for each description.

SEC. 187. On the day mentioned in the notice, the County Treasurer shall commence the sale of such lands, and shall continue the same from day to day until so much of each parcel

assessed or belonging to each person assessed, shall be sold as will pay the taxes, interest and charges thereon, or chargeable to such person in said county. The person offering at said sale to pay the required sum for the least quantity of any tract, shall be considered the purchaser of such quantity: *Provided*, No bid shall be received from any person not a resident of the State of Indiana, until such person shall file with said Treasurer an agreement in writing consenting to the jurisdiction of the Circuit Court of the county in which such sale shall be made, and also filing with such Treasurer an appointment of some citizen of said county as agent of said purchaser, and consenting that service of process on such agent shall give such Court jurisdiction to try and determine any suit growing out of or connected with such sale for taxes.

Sec. 188. When less than the whole of any tract of land shall be sold, the quantity sold shall be in a square form, as near as practicable at the most northwesterly corner of the tract, and when less than the whole of any in-lot or out-lot of any city or town shall be sold, the part sold shall extend from the main or principal street, road or alley, forming the most convenient front to such lot, to the rear of such lot, and so as to bound the same by lines as nearly parallel with the outlines of such lot as practicable.

Sec. 189. When more than one tract or lot belonging to the same person shall be for sale at the same time, in the same municipal corporation or township, a part of one of said tracts or lots shall be offered first, for the payment of the whole sum due from such owner on all such delinquent lands or lots, or otherwise; and if no person shall bid off a part of such tract or lot for the sum required, the said tract or lot shall then be offered to the highest bidder for cash, and if any amount shall yet remain due, or if no person bid for a part or all of one tract or lot, each of the other tracts or lots shall be offered in like manner until the required sum is realized; and if no one bids upon a part or all of said tracts or lots separately enough to pay the amount due, when the whole of said tracts and lots shall be offered together and sold to pay the taxes, penalties, interest and costs thereon.

Sec. 190. Where such sale is made, the purchaser at such sale shall immediately pay the amount of their respective bids

to the Treasurer, who shall pay the surplus, if any, to the person entitled thereto; or if he has doubt, or a dispute arises as to the proper person, the same shall be paid into the County Treasury. In case the purchaser fails to pay his bid, the land shall be again forthwith offered for sale the same as if no sale had been made, and the purchaser so failing shall forfeit and pay for the use of the common school fund of the county a penalty of twenty-five per centum on the amount of his bid, to be recovered by action of debt in the name of the Treasurer, before any Justice of the Peace, or court having jurisdiction, and the Prosecuting Attorney shall conduct such suit, and for his services a fee of five dollars shall be taxed against such delinquent purchaser.

SEC. 191. The County Auditor shall attend, either in person or by deputy, as the clerk of the sale of such delinquent land, and shall enter the same on a sufficient record book, giving a description of the proper tract or lot, showing how much of each was sold, to whom, and the price, or whether the same remains unsold.

SEC. 192: After payment shall have been made, the County Auditor shall give the purchaser a certificate in writing, describing the land so purchased, the sum so paid, and the time when the purchaser will be entitled to a deed for said land, and where the County Surveyor has surveyed and furnished a sufficient description, said Auditor shall take care that the land is described and identified by that description. Such certificate shall be signed by the County Auditor, who shall register the same in his office before delivery to the purchaser. Such certificate shall be assignable; but no assignment thereof shall be valid unless endorsed on such certificate and acknowledged before some officer authorized to take acknowledgments of deeds, or the proper County Auditor or Recorder, in his office, for which record said Auditor shall be entitled to a fee of twenty-five cents, to be paid by the purchaser and treated as a part of the costs of the sale.

SEC. 193. It is hereby made the duty of the County Treasurer, at the time he sells lands for taxes unpaid and delinquent, as is directed in this act, and after the purchaser of land under such sales shall have made payment of the amount of their

bids, respectively, to indorse upon and annex to each certificate to be given to the purchaser by the County Auditor, as required by this act, his written guaranty, signed by him, warranting that the taxes due upon the tract or tracts, lot or lots, piece or parcel of land, which, or a portion of which, are named in such certificate, for the years for which the same shall have been returned delinquent, have never been paid by the owner, nor by any person on his behalf, and that the same were yet due and unpaid at the time of the sale thereof named in such certificate. And if it should at any time appear that such County Treasurer had, before the time of making such guaranty, received, either in person or by deputy, the taxes assessed against such tract or tracts, lot or lots, piece or parcel of land, the holder of such certificate is entitled to his action upon such written guaranty aforesaid forthwith, upon the fact becoming known that such lands were improperly sold, and without waiting the accrual of any special damage to such holder; and in such action the measure of damages to which such holder of such certificate is entitled shall be double the amount paid by such holder as taxes, interest, penalty and charges, with lawful interest thereon; or such holder is entitled to his action on the official bond of such Treasurer, against him and his sureties, as for dereliction in duty, in which action the measure of damages is the same as above mentioned.

SEC. 194. The owner or occupant of any land sold for taxes, or any other persons having an interest therein, may redeem the same at any time during the two years next ensuing, in the following manner: If redeemed within six months from the day of sale, he shall pay to the County Treasurer for the use of the purchaser, his heirs or assigns, the full sum of the purchase-money named in his certificate, and all the costs of sale, together with ten per centum addition; if redeemed after six months, and within one year, he shall pay in like manner, the purchase money, together with costs and fifteen per centum in addition; if redeemed after one year and within two years, he shall pay, in like manner, the purchase money, together with costs and twenty-five per centum in addition, and he shall also pay all taxes which have been paid thereon, with interest at the rate of six per centum per annum on such taxes, and, in case the party purchasing the land, or his assigns fails to take

a tax deed for the land so purchased within six months after the expiration of the two years, no interest shall be charged or collected from the redemption after that time.

SEC. 195. Infants, idiots and insane persons may redeem any lands belonging to them, sold for taxes, within two years after the expiration of such disability, in the same manner as provided in the preceding section for redemption by other persons.

SEC. 196. Any person claiming an undivided part of any land sold for taxes may redeem the same on paying such proportion of the purchase money, interest, penalty, and subsequent taxes as he shall claim of the land sold.

SEC. 197. Any person claiming an undivided share in any land out of which an undivided part shall have been sold for taxes, may redeem his undivided share by paying such portion of the purchase money, interest, penalty and subsequent taxes as he claims of the land sold.

SEC. 198. Any person claiming a specific part of any lands sold for taxes, may redeem his specific part by paying such proportion of the purchase money, interest, penalty and subsequent taxes as his quantity of ground shall bear to the whole quantity sold.

SEC. 199. Any person claiming a specific part of any lands out of which an undivided part shall have been sold for taxes charged on the whole tract or lot, may redeem his specific part by paying such proportion of purchase money, interest, penalty and subsequent taxes, as his quantity of acres shall bear to the whole quantity taxed.

SEC. 200. Any person claiming a specific part of any lands out of which a specific part belonging to some other owner shall have been sold for taxes charged on the whole tract or lot, may exonerate himself from all liability to contribute to the owner of the part sold by paying into the County Treasury at any time before the expiration of the time allowed for redemption, such proportions of purchase money, penalty and interest as his quantity of acres will bear to the whole taxed; and such payment shall operate as a redemption of a proportionate part, according to the amount paid, of the land sold.

SEC. 201. In every case where a partial redemption is asked for, pursuant to the preceding five sections, the County Auditor, upon the application of the redemptioner, after notice to the holder of the certificate, shall determine the proportion to be paid by the party applying to redeem, and his decision shall be final thereon. For his services in stating the proportion, the redemptioner shall pay him fifty cents; and in every case of a partial redemption, pursuant to either of the said sections, the quantity sold shall be reduced in proportion to the amount paid on such partial redemption, and the County Auditor shall convey accordingly.

SEC. 202. Whenever the land of any one person shall be sold for taxes assessed conjointly on the lands of such person and the lands of another person, and such other person shall not pay his due proportion, the persons whose lands shall be sold may redeem the same in paying the amount due to the purchaser; and he shall be entitled to recover from such other person whose lands were assessed with his, a just proportion of the redemption money so paid, with lawful interest from the time of such redemption; but no suit shall be brought for the recovery of such proportions until after the expiration of the time allowed for redemption.

SEC. 203. If such owner shall not redeem the lands sold, and the same shall be conveyed by the County Auditor, such owner may recover from such other person the same proportion of the value of the land sold and conveyed that he ought to have paid of the tax, interest, and charges, for which the land shall have been sold.

SEC. 204. Every judgment obtained under either of the last two sections shall have priority as against the lands of the defendant therein, on which the tax was assessed, and for which such proportionate part ought to have been paid, to all mortgages executed, and all judgments recovered since the time when such taxes were assessed.

SEC. 205. In case any lasting and valuable improvements shall have been made by the purchaser at a sale for taxes, or by any person claiming under him, and the land on which the same shall have been made shall be redeemed as aforesaid, the premises shall not be restored to the person redeeming until he

shall have paid or tendered to the adverse party the value of such improvements, and if the parties can not agree on the value thereof, the same proceedings shall be had in relation thereto as shall be prescribed in the law existing at the time of such proceedings for the relief of occupying claimants of lands. No compensation shall be allowed for improvements made before the expiration of two years from the date of sale for taxes.

SEC. 206. When lands sold for taxes, or any portion thereof, shall be redeemed, the County Auditor shall insert a memorandum of such redemption, the quantity or description of the portion redeemed, if not the whole, the date thereof, and by whom made, in his record of sales of land for delinquent taxes, and sign the same officially, and shall likewise give a certificate thereof to the person redeeming.

SEC. 207. If no person shall redeem the land sold for taxes within two years from the sale, at the expiration thereof, and on production of the certificate of purchase, and in case the certificate covers only a part of a tract or lot of land, then accompanied with a survey or description of such part made by the County Surveyor, the Auditor of the county in which the sale of such land took place shall execute to the purchaser, his heirs or assigns, in the name of the State, a conveyance of the real estate so sold, which shall vest in the grantee an absolute estate, in fee simple, subject, however, to all the claims which the State may have thereon for taxes, or liens, or incumbrances. In making such conveyance, when two or more parcels, tracts or lots of land are sold for the non-payment of taxes to the same purchaser or purchasers, or the same person or persons shall in anywise become the owner of the certificates thereof, all such parcels shall be included in one deed.

SEC. 208. Such conveyance shall be executed by the County Auditor, under his hand and seal, witnessed by the County Treasurer and acknowledged before the County Recorder, or any other officer authorized to take acknowledgments, and the same shall be recorded in the Recorder's office before delivery; a fee for recording shall be paid by the purchaser, and shall be included in the costs of sale. Such deed shall be *prima facie* evidence of the regularity of the sale of the premises described in the deed, and of the regularity of all prior proceedings, and

prima facie evidence of a good and valid title in fee simple in the grantee of said deed ; and such deed shall be in the following form, as nearly as the nature of the case will admit, namely :

Whereas, A. B. did, on the day of, 18..., produce to the undersigned, C. D., Auditor of the county of, in the State of Indiana, a certificate of purchase, in writing, bearing date the day of, 18..., signed by E. F., who, at the last mentioned date, was Auditor of said county, from which it appears that the said A. B. did, on the day of, 18..., purchase at public auction at the door of the court house in said county, the tract, parcel or lot of land lastly in this indenture described, and which lot was sold to for the sum of dollars and cents, being the amounts due on the following tracts or lots of land, returned delinquent in the name of G. H., for the non-payment of taxes, costs and charges for the years, namely : [Here set out the lands offered for sale]; which said lands have been recorded, among other tracts, in the office of said Auditor, as delinquent for the non-payment of taxes, costs and charges due for the year last aforesaid, and a true copy of said record transmitted to the office of the Auditor of State, in manner and form prescribed by law, and legal publication made of the sale of said lands; and it appearing that the said A. B. is the legal owner of said certificate of purchase, and the time fixed by law for redeeming the land therein described having now expired, the said G. H., nor any person in his behalf, having paid or tendered the amount due said A. B., on account of the aforesaid purchase, and for the taxes by him since paid, and the said A. B., having demanded a deed for the tract of land mentioned in said certificate, and which was the least quantity of the tract above described that would sell for the amount due thereon for taxes, costs and charges, as above specified, and it appearing from the records of said County Auditor's office that the aforesaid lands were legally liable for taxation, and had been duly assessed and properly charged on the duplicate with the taxes for the years

Therefore, this indenture, made this day of, 18..., between the State of Indiana, by C. D., Auditor of said county, of the first part, and the said A. B., of the second part, witnesseth : That the said party of the first part, for and in con-

sideration of the premises, has granted, bargained and sold unto the said party of the second part, his heirs and assigns, forever, the tract or parcel of land mentioned in said certificate, situate in the county of, and State of Indiana, and described as follows, namely: [Here set out the particular tract or parcel sold], to have and to hold the said last mentioned tract or parcel of land, with the appurtenances thereto belonging, to the said party of the second part, his heirs and assigns, forever, in as full and ample a manner as the Auditor of said county is empowered by law to sell the same.

In testimony whereof the said C. D., Auditor of said county of, has hereunto set his hand, and affixed the seal of the Board of County Commissioners, the day and year last above written.

Witness:

....., [L.S.]

Auditor of County.

State of Indiana, County, ss.:

Before me, the undersigned,, in and for said county, this day personally came the above named C. D., Auditor of said county, and acknowledged that he signed and sealed the foregoing deed for the uses and purposes therein mentioned.

In witness whereof, I have hereunto set my hand and seal this day of, 18....

....., [L. S.]

SEC. 209. In case circumstances should exist requiring any variation from the foregoing form, in the recital part thereof, the necessary charge shall be made by the County Auditor executing such deed, and the same shall not be vitiated by any such change, provided the substance be retained.

SEC. 210. The County Auditor shall be entitled to receive for each tax certificate fifty cents, and for each tax deed one dollar, which shall include the acknowledgement, and in case two or more deeds be made to the same person, the Auditor shall be entitled to demand and receive from such person seventy-five cents for the first deed, and fifty cents for each additional one.

SEC. 211. The County Auditors are hereby authorized to make deeds for lands in their respective counties, sold for taxes

under any former law, where the same remains yet to be done, and the deeds so made shall be good and valid, as if made by the person authorized under any former law to make them.

SEC. 212. When conveyances are delivered for lands sold for taxes, the certificates therefor shall be canceled and filed away by the Auditor; and in case of the loss of any certificate, on being fully satisfied thereof by due proof, or upon the production of a certified copy thereof, the Auditor may execute and deliver the proper conveyance, and file such proof in his office.

SEC. 213. A register shall be kept by the County Auditor in his office, containing a brief description of the lands by him conveyed on sales for taxes, the name of the person charged therewith, the date of the sale, the name of the purchaser, the amount for which it sold, the name of the grantee in the deed, and the date of its execution.

SEC. 214. Whenever the County Auditor shall discover, prior to the conveyance of any lands sold for taxes, that the sale was for any cause whatever invalid, he shall not convey such lands; but the purchase money and the interest thereon shall be refunded out of the county treasury to the purchaser, his representatives or assigns, on the order of the County Auditor; and such land, if originally liable to taxation, being still delinquent, shall again be placed on the delinquent list, and the amount so refunded, with interest, be collected as in other cases.

SEC. 215. No sale or conveyance of land for taxes shall be valid if, at the time of being listed, such land shall not have been liable to taxation, or if liable, the taxes thereon shall have been paid before sale, or if the description is so imperfect as to fail to describe the land or lot with reasonable certainty, and in all such cases, the money paid by the purchaser at such void sale shall be refunded, with interest, out of the county treasury, on order of the County Auditor.

SEC. 216. If any conveyance for taxes shall prove to be invalid and ineffectual to convey title because the description is insufficient, or for any other cause than the first two enumerated in the preceding section, the lien which the State has on

such lands shall be transferred to and vested in the grantee, his heirs and assigns, who shall be entitled to recover from the owner of such land the amount of taxes, interests and penalty, legally due thereon at the time of such sale, with interest, together with the amount of all subsequent taxes paid, with interest, and such lands shall be bound for the payment thereof.

SEC. 217. The sale of lands for taxes shall not be invalid on account of such lands having been listed or charged on the duplicate in any other name than that of the rightful owner.

SEC. 218. In all cases of sale of lands for taxes, if the purchaser or his assigns shall die before a deed shall be executed on such sale, the deed may be executed by the Auditor to and in the name of the deceased person, if such deceased person, being still alive, would be entitled to a deed, or to his heirs at law or devisees; which deed shall vest the title in the heirs or devisees of such deceased person, in the same manner and liable to like claims of creditors and other persons as if the same had been executed to such deceased person immediately previous to his death (or the executor or administrator may assign the certificate of purchase, and the deed may issue to the assignee thereof), and in like cases which have heretofore occurred, the same rule shall apply, and all deeds heretofore issued in the name of any deceased person who, if living at the time of the execution thereof, would have been entitled thereto, shall have like effect as above provided.

SEC. 219. The County Auditor shall make a list each year, before the 31st day of December of all the lands, town and city lots, which have been offered for sale for three years successively, after the passage of this act, and which have remained unsold for want of bidders, and in said list he shall describe the name of the person to whom said lands or lots are taxed, if known, or, if unknown, as they appear on the duplicate, and the aggregate amount of the taxes, penalty, interest and costs due thereon, and a description of the lands or lots upon which the taxes are assessed, and such description shall be sufficient, if made in the manner that lands may be assessed for taxation, under this act; and the Auditor, if he finds the description on the tax duplicate or delinquent list imperfect, shall correct and perfect the same, and he may amend such description at any time, which list he shall certify under his

hand and seal of office to be a true and correct list of such unsold lands, and he shall deliver the same to the Prosecuting Attorney, with an order to him to proceed to enforce the lien of the State of Indiana for such taxes, penalty, interest and costs upon such lands or lots. Such Prosecuting Attorney shall also procure from the Treasurer of any city or incorporated town within the limits of which such real estate is situate, a statement of the aggregate amount of the municipal taxes, penalty, interest and costs due thereon. Before such Prosecuting Attorney shall proceed to enforce such lien he shall ascertain, if the same can be done, the name and residence of the owner of such lands or lots, and he shall proceed to bring suit in the Circuit Court of the county, in the name of the State of Indiana, on the relation of the Prosecuting Attorney, against such owner, making parties thereto all persons who claim to have an interest in said lands and lots, or who appear by the public records of the county to have judgment liens, mortgage liens, or other liens of record, upon said lands or lots, and also the city or town in which said real estate is situate, and requiring them to assert such liens or claims in said suit. The City Attorney or attorney of such town shall appear for the city or town in such case and assert its claim, and in so doing he shall be allowed a docket fee of five dollars, which shall be taxed as costs. The process shall be issued and served, and publication made, and all the proceedings conducted in the same manner as ordinary civil suits to foreclose mortgages are conducted, and the judgment obtained upon the lien for such taxes, penalty, interest, costs and charges shall have priority over all other liens upon such lands or lots, and next in order of priority shall be the judgment obtained for the taxes, penalty, interest and costs due for municipal purposes to the city or town in which real estate is situated, and such liens shall in no wise be affected or destroyed by any sale or conveyance of such lands or lots, or by any misnomer on the tax books or assessment books of the owner of said lands or lots.

SEC. 220. The decree in such suit shall provide that the property shall be sold by the Sheriff, as other lands are sold on execution, at the court house door of the proper county, to the highest bidder, for cash, by the Sheriff of the county, and the judgment as to the lien for taxes, penalty, interest and costs,

shall be without any relief from valuation or appraisement laws, and without stay of execution; and the first proceeds of such sale after the payment of costs of suit shall be applied to the extinguishment, *pro tanto*, of the judgment for taxes, penalty, interest and costs, and paid into the County Treasurer's office, and the residue shall be apportioned in such manner as the Court may direct, according to the rights of the parties; but in cases where there are no lien claimants, or conflicting claims of ownership, the Court shall direct that the surplus, if any, shall be paid into the Treasurer's office, for the use of the owners of such lands and lots. A docket fee of ten dollars for the Prosecuting Attorney shall, in each case of foreclosure for a tax lien, be entered and charged as costs on the judgments against such lands or lots, when such judgment is obtained and collected, as other costs.

SEC. 221. In such suits, and in all other suits, and for any purpose of evidence or authentication, the records made by the County Auditors respecting delinquent lands, the manner of advertisement of sales thereof, the sales made of the same, and the conveyances thereof executed, and all copies of such records, or of any other papers required by this act to be made out, duly certified to be such by the proper County Auditor, under his seal of office, shall be received as *prima facie* evidence of the facts contained therein.

SEC. 222. Where there are several parcels of lands or lots belonging to the same person, and which have been offered for sale for non-payment of taxes for three years successively, and have remained unsold for lack of bidders, all of such lands and lots shall be included in one suit.

SEC. 223. In all suits and controversies involving the title of land claimed and held by virtue of the deed executed by the County Auditor for non-payment of taxes thereon, under this or any former tax law, the person claiming by adverse title to such deed shall be required to prove, in order to defeat the title conveyed by such deed, either that the land described therein was not subject to taxation at the date of assessment of the tax for which it was sold, or that the taxes for the non-payment of which the land was sold were paid to the proper officer within the time limited by law therefor, or that the same had not been assessed for the taxes for the non-payment of

which it was sold, or that the same had been redeemed pursuant to law, or that a certificate in proper form had been given by the proper officer, within the time limited by law for paying taxes or for redeeming from sales made for the non-payment thereof, stating that no taxes were due at the time such sale was made, or that the lands were not subject to taxation.

SEC. 224. Any person holding any deeds of lands, or lots, executed by the County Auditor for the non-payment of taxes, may commence a suit in the Circuit Court of the county where such lands lie, to quiet his title thereto, without taking possession of such lands, and all parties who have, or claim to have, or appear of record in any of the public offices of the county where such land or lot is situated, to have any interest in, or lien upon such lands or lots, shall be made defendants in such suit, and no outstanding, unrecorded, deed, mortgage or claim shall be of any effect as against the title or right of the complainant as fixed and declared by the decree made in such cause, and if upon the hearing of such cause it shall appear that the complainant's title was or is invalid for any cause, such suit shall not be dismissed by the Court, but the Court, in cases where the tax was due and unpaid, or where the complainant's title was invalid for defect, or uncertainty of description, shall ascertain the amount due the complainant for principal and interest, to be computed at ten per cent. per annum, and shall decree the payment thereof within a reasonable time by the owner of such land, and in default thereof shall direct that such land or lot be sold therefor, and that the equity and right of redemption of all defendants in such suits, and all persons claiming under them, shall be forever foreclosed: *Provided*, That the proceedings in such cases shall be conducted in the same manner, as near as may be, in conformity with the practice in the case of foreclosure of mortgages.

SEC. 225. If any conveyance made by the County Auditor, pursuant to a sale made for the non-payment of taxes, under this or any other former tax law, shall prove to be invalid and ineffectual to convey title for any other cause than such as are enumerated in the section immediately preceding the last section, the lien which the State had on such land for State, county, township and all lawful purposes, shall remain in full force, and shall be transferred by such deed to the grantee and

vested in him, his heirs and assigns, who shall be entitled to recover from the owner of such lands, the amount of such legal taxes, together with all lawful charges, with interest at twenty per cent. per annum, from the date of such sale, and also the amount of all subsequent taxes paid, with like interest, and such claim shall be a lien upon such lands, and the same shall be bound for the payment thereof; and in case judgment be rendered against the person holding the title from the Auditor as aforesaid, for the recovery of such land, in an action or ejectment or other action, either by law or in equity, the Court shall ascertain the amount due to the party holding such tax deed for principal and interest, and for all improvements made by him on such lands, and shall decree the payment thereof within such reasonable time as may be determined by such Court, and, in default of such payment, shall decree that such lands be sold therefor, or sufficient thereof to pay the amount of such improvements, principal and interest due to the party having the Auditor's deed, his heirs and assigns: *Provided*, That there shall be no right of redemption of such property after the date of sale, and that the sale shall be without the benefit of appraisement laws, and the Sheriff shall, upon the receipt of the purchase money, execute to the purchaser a deed in fee simple.

SEC. 226. No general or specific tax authorized by the laws of this State, and which shall be assessed on any property in any township, city or town within this State, by any officer authorized to make assessments, or which, if made by another person, or may be adopted by such officer as his act, shall be held to be illegal or invalid for want of any matter or form in any proceeding not affecting the merits of the case, and which shall not prejudice the rights of the party assessed. And all taxes assessed upon any property in this State, shall be presumed to be legally assessed until the contrary is affirmatively shown, and no sale of real estate for the non-payment of the taxes thereon shall be rendered invalid by showing that any certificate, return, affidavit or other paper required to be made and filed in any office is not found in any office where the same ought to be filed or found, but until the contrary is proven, the presumption shall be in all cases that such certificate, return, affidavit or other paper was properly made and filed in the proper office.

SEC. 227. Whenever the owner of any tract, lot, parcel or piece of land is deprived of his title thereto, or to some portion thereof, or by reason of any suit in relation thereto is put to expenses, damages, costs or charges by reason of the failure of the County Treasurer to give proper credit for any taxes paid to him, or whenever any tract, parcel or lot of land shall have been assessed to two different persons, and the entire tax shall have been paid by either of them, and the Treasurer shall sell such land as delinquent on the account of the non-payment by the other party of the taxes assessed against him thereon, the party damaged by such sale, or his legal representatives, may, in an action against the officer by whose act or omission such damages have been caused, or upon his official bond, recover a judgment for double the amount of all the damages, costs and charges to which such owner may have been subjected in consequence of such failure or such dereliction of duty.

SEC. 228. The County Auditor and Treasurer shall attend at the office of said Auditor on the third Monday in April, annually, and the Treasurer shall then and there make a statement with the Auditor for the amount of taxes for which the Treasurer is to stand charged, as follows :

First. The Auditor shall, in a column, or columns, for the purpose, opposite the name and description on the right hand of the duplicate, in the hands of the Auditor and Treasurer, extend a list of all such taxes as the Treasurer shall have been unable to collect.

Second. The Treasurer, under oath, to be administered by the Auditor, shall certify in such duplicate to the correctness of such list, setting out in words and in figures the amount thereof.

Third. The Treasurer shall immediately proceed to collect the same in the manner provided by law.

Fourth. After deducting the amount of taxes so returned delinquent, and collection fees allowed the Treasurer from the several taxes charged on the duplicate, in a just and ratable proportion, the Treasurer shall be held liable for the balance.

Fifth. The Auditor shall certify, in such manner as the Auditor of State shall direct, the balance due for all State purposes, and the balance due for county or other local purposes, which certificate he shall deliver to the Treasurer, who shall

deliver the same to the Auditor of State at the time he makes settlement with him. The said Treasurer shall also, on the first Monday in November, make settlement with the County Auditor for the amount of all the tax and delinquent tax for which said Treasurer is to stand charged; said settlement, in all respects, to be made and certified in such manner as the Auditor of State shall direct, and it shall be the duty of the County Auditor to forward a certified copy of such settlement forthwith to the Auditor of State.

SEC. 229. Each County Treasurer shall, on or before the 15th day of May, in each year, pay over to the State Treasurer all the moneys found due for all State purposes, according to the certificate of settlement with the Auditor of his county, and shall take a receipt or receipts for the money so paid, which he shall deposit with the Auditor of State, who shall give him a quietus.

SEC. 230. Each County Treasurer shall, also, on or before the first day of January of each year, pay over to the State Treasurer all the moneys found due for State revenue, school tax, and all other State purposes, according to the certificate of settlement with the Auditor of his county, and shall take a proper receipt or receipts from the Treasurer for moneys so paid, which he shall deposit with the Auditor of State, who shall give him a quietus.

SEC. 231. If any County Treasurer shall fail to pay into the State Treasury the amount due to the State on his account for the State and other taxes, before or at the time required by this act, he shall forfeit and pay to the State of Indiana a penalty of fifteen per cent. on the amount due, which shall, together with the amount due the State, be recovered by an action of debt in the name of the State of Indiana against such dilatory Treasurer; and it shall be the imperative duty of the Auditor of State to notify at once the Prosecuting Attorney of the proper county of such default, and such Attorney shall bring suit immediately against such Treasurer, and such penalty, when recovered, shall be paid into the State Treasury. For his services in collecting such penalty, such Prosecuting Attorney shall be allowed a docket fee of ten dollars, to be taxed as costs against such defaulting officer. In no case shall the Prosecuting Attorney fail to bring such suit, unless satis-

factory evidence from the County Board is presented to him, showing, by official action taken by such Board, lawful cause why the Treasurer could not pay over, in part or in whole, the amount due in such Treasurer's account with the State.

Sec 232. If any County Treasurer, in making settlement with the County Auditor, shall stand charged by mistake with any tax remaining unpaid, and shall not receive a credit therefor in such settlement, such Treasurer may collect such tax for his own use at any time after such settlement, either by distress and sale, as herein before provided, or by an action of debt in his own name, before any Justice of the Peace or court having jurisdiction.

Sec. 233. If any County Treasurer shall refuse or neglect to make return or settlement with the Auditor of his county, as in this act required, he and his sureties shall be held liable to pay the full amount of the taxes charged on the duplicate respecting which he so refuses or neglects to make return or settlement, together with interest from the time when such return or settlement should have been made, and ten per centum damages, and it shall be the duty of the County Auditor to notify, immediately, the Prosecuting Attorney of such failure or refusal, who shall bring suit at once upon such Treasurer's official bond.

Sec. 234. The County Treasurer shall pay over all the revenues collected for county, road and other purposes, and make settlements therefor at the time and in the manner by this act required; and, upon failure or refusal to do so, he and his sureties on his official bond shall be held liable to pay the full amount which he shall have paid over, together with interest ten per centum damages, and such suit, if for State revenue, shall be brought by the Attorney-General, in the name of the State of Indiana, on relation of the Auditor of State, upon the written request of the Auditor of State, and, if for county, road, or any other purpose, it shall be brought by the Prosecuting Attorney, in the name of the State of Indiana, on relation of the County Auditor, upon the written request of the County Auditor, or upon the order of the Board of County Commissioners. And in case of recovery upon such bond, such Attorney-General or Prosecuting Attorney shall be entitled to

a compensation of five per centum upon all sums collected, after judgment for the full amount, interest and ten per centum damages has been obtained, and also a docket fee of ten dollars, to be taxed as costs against the judgment defendants.

SEC. 235. The stated account of the County Treasurer against whom suit is brought, certified by the Auditor of State as truly transcribed from the account current against such Treasurer on the books of said Auditor's office, authenticated by the State seal, shall be *prima facie* evidence against such Treasurer and his sureties.

SEC. 236. In all suits brought against any County Treasurer and his sureties, the books and papers belonging to the Treasurer's office, and all books and papers belonging to the Auditor's office, shall, when proved by the oral testimony of the Auditor, be admissible testimony.

SEC. 237. The Sheriff, or other officer, who shall collect any money from any delinquent County Treasurer, his sureties, shall, within ten day's after the assessment and the collection thereof, pay into the County Treasury such portion thereof as shall belong to the county, and, within thirty days after such collection, shall pay into the State Treasury the portion belonging to the State; retaining the same traveling fees allowed by law to County Treasurers, or he shall pay the same over in such other manner as the Auditor of State may direct.

SEC. 238. The revenue received from the tax on dogs in each township shall be set apart by the County Auditor at such annual settlement, and the same shall be paid over by the County Treasurer to the proper Township Trustee. The sums so collected and received in each township are hereby declared to be a fund for the payment of damages sustained by the owners of sheep maimed or killed by dogs within such township; and each Township Trustee is directed and required to hold the same for such purposes: *Provided, however,* That when it shall so happen on the first Monday of March in each year, in any township, that the said fund shall accumulate to an amount exceeding fifty dollars over and above orders drawn against the same, then the surplus over said sum of fifty dollars shall be expended by such Trustee for the use of the school revenue of the township.

SEC. 239. Whenever it shall appear to the Board doing county business in any of the counties of the State, by clear and sufficient proof, that by reason of erroneous charges in the tax duplicate, or from other cause, the Treasurer of such county has paid and accounted to said Board for more money than was justly due from him on account of county revenue, said Board doing county business shall direct the Auditor to credit said Treasurer with the sum or sums thus improperly paid, and order the same to be refunded out of the county treasury.

SEC. 240. Whenever similar improper or erroneous payments have been made by any County Treasurer to the State Treasurer, the board doing county business shall direct the Auditor to certify said improper or erroneous payments to the Auditor of State, under his seal of office, who shall audit and allow the same as a claim against the Treasurer, and the Treasurer shall pay the same out of any moneys not otherwise appropriated.

SEC. 241. The provisions of the preceding sections shall extend to persons who have been, as well as those who are now, and shall hereafter be, County Treasurer.

SEC. 242. Annually, in the month of November, before the delinquencies of a former year or years are carried upon the current year's duplicate, it shall be the duty of the County Auditor and Treasurer to review and carefully examine the list of delinquencies; all such delinquencies, as by reason of removal from the State, leaving no property, or dying, leaving no property, and all delinquencies which, in the judgment of said Auditor and Treasurer, from any other cause, there is no reasonable probability of being collected, shall be omitted from the current year's duplicate.

SEC. 243. Any failure to deliver the Treasurer's or Assessor's books within the time required by this act, or to make any official certificate within the time required by this act, shall in no way affect the validity of the assessment and levy or collection of taxes, but in case of such failure, the assessment and levy of taxes and the proceedings to collect taxes, shall be held to be as valid and binding as if said books had been delivered at or within the time required by law.

SEC. 244. It shall be the duty of the Auditor of State to make out and forward to each County Auditor, from time to time, for the use of such Auditor and other officers, suitable forms and instructions, and all such instructions shall be strictly complied with by the officers in the performance of their respective duties. He shall give his opinion and advice in all questions of doubt as to the true intent and meaning of the provisions of this act.

SEC. 245. If the tax on any property liable to taxation is prevented from being collected for any year or years, by reason of any erroneous proceedings or other cause, or has not heretofore been assessed, the same shall be assessed as in this act provided, and the amount of such tax which such property should have paid shall be added to the tax on such property for the next succeeding year.

SEC. 246. It shall be the duty of the Auditor of State to order and enforce a correct, and, as far as practicable, uniform system of bookkeeping by County Treasurers and Auditors, so as to afford a suitable check upon their mutual action and insure the thorough supervision and safety of State, county and other funds.

SEC. 247. The Auditor of State shall, from time to time, whenever he shall find it necessary, cause to be printed at the expense of the State, a sufficient number of copies of this act to furnish one copy to each Township Assessor, County Assessor, Treasurer, Auditor and Commissioner within this State, and shall transmit to each County Auditor a sufficient number for his county. Every County Auditor receiving such copies shall immediately distribute the same to the persons entitled thereto. The Auditor of State shall also furnish the several Township Assessors, County Assessors, Auditors and Treasurers with all such forms and instructions as he may wish them to pursue in the performance of the duties required by this act. And in preparing such forms for the returns to be made by County Auditors, and for the settlement sheets of County Treasurer, he shall require them to separately show the amount collected and paid in on account of poll-tax.

SEC. 248. In all cases where school lands have been sold and a certificate has been issued to the purchaser or entered or re-

corded in the proper office or otherwise, and the purchaser has entered into possession and paid a part or the whole of the purchase money, or could have entered into occupancy, such lands shall be deemed and held as having been sold so as to make them liable to taxation, within the meaning of the law, as fully and completely as they would have been had a deed been made and delivered, and the fee had passed to the purchaser; and all appraisements of lands so sold, and all the assessments of the same for taxes, and all levies and collections of taxes thereon heretofore made, shall be, and are hereby legalized and declared to be lawful and valid, and shall in nowise be subject to question by reason of such sale not having been consummated by execution and delivery of deed. But whenever any Treasurer fails to collect any delinquent taxes for any year, and the same is carried over to the next year's duplicate, together with all penalties and interest, such Treasurer shall not be entitled to any fee for collecting the delinquent part of said duplicate, more than he is entitled to by law for collecting the duplicate of the current year.

SEC. 249. No Treasurer shall refund any taxes paid, nor shall any Board of County Commissioners authorize the refunding or repayment of any taxes so levied or collected, nor shall any action be commenced or maintained in any court in this State, nor shall any court have jurisdiction to entertain any action brought to recover taxes so levied and collected as being illegal by reason of such lands not being sold in any case contemplated in the preceding section.

SEC. 250. Whenever, at any time before the first day of April, 1892, it shall appear to the joint satisfaction of the County Auditor, the County Treasurer and the County Assessor, that any tract of land, or city, town or village lot heretofore assessed with State and county taxes, and heretofore unsold for taxes, is not worth the amount of such taxes, interest and costs, they shall jointly proceed to appraise such tract of land or lot at its true cash value, and thereupon it shall be lawful for said Auditor, Treasurer and Assessor to compromise said taxes assessed up to the first day of April, 1891, with the owner of such tract or lot, for such sum in cash as may seem advantageous to the county and State, and such proposed compromise shall be at once reported by the County Auditor to the

Auditor of State, and if approved by him under his hand and seal of office, and not otherwise, the same shall be valid and effectual, if the amount thereof is paid to the County Treasurer before the first day of April, 1892.

SEC. 251. As soon as such payment is made, a certificate of satisfaction and redemption shall be issued by the County Treasurer, attested by the signature and seal of the County Auditor, and deliver to such owner, which certificate shall be valid and effectual to release said land or lot from the lien of all State and county taxes, penalties and costs due thereon up to the first day of April, 1891, and such sum so paid in compromise shall be distributed to the State and county in the proportion that the amount received bears to the whole amount assessed and charged against such tract or lot.

SEC. 252. Whenever, before April 1, 1892, the owner of any tract of land, or city, town or village lot heretofore assessed with State and county taxes, and unsold for taxes, which have been continuously delinquent for at least three years or more before the taking effect of this act, offers to the County Treasurer to pay in cash the full amount of such taxes, with interest thereon at the rate of six per cent. per annum from the day each installment of tax became due and payable, without the penalty, costs and charges thereon, and it appears to the joint satisfaction of the County Auditor, Treasurer and Assessor that it will be more advantageous to the county and State to accept such offer than to proceed against such lands or lots, they shall at once jointly report the offer, with their opinion, to the Auditor of State, and if he notifies the County Auditor, under his hand and seal of office, that he deems it advantageous to the county and State to accept such offer, it shall thereupon be the duty of the County Treasurer to accept such offer, and to receive the amount of such taxes and interest without the penalty, cost and charges.

SEC. 253. As soon as such payment is made the certificate of satisfaction and redemption shall be issued by the County Treasurer, attested by the signature and seal of the County Auditor, and delivered to such owner, which certificate shall be valid and effectual to release said land or lot from the lien of all State and county taxes, penalties or costs due thereon up to the first day of April, 1891, and such sum so paid shall

be distributed to the State and county in proportion that the amount received bears to the whole amount assessed and charged against such tract or lot.

SEC. 254. The privilege to compromise and pay, permitted in the foregoing section, shall not extend beyond the first day of April, 1892, and the provisions of said sections shall apply to municipal taxes in cities and incorporated towns, and in cities the Treasurer, Clerk and Chairman of the Finance Committee shall perform the same duties as are now enjoined in said sections upon County Auditors, and the Mayor shall perform the duties required of Auditor of State, and in incorporated towns the Board of Trustees shall have full power to perform the duties in said sections enjoined upon said officers as aforesaid.

SEC. 255. All liens for taxes, and all penalties, and any right to redeem from tax sales, accrued under former laws and existing at the time of the passage of this act, are hereby continued in force, and all suits and proceedings now pending for collection of taxes under former and existing laws shall be continued to a final termination, the same as if this act had not been passed.

SEC. 256. Cities shall be governed by the provisions of this law, in regard to the matters embraced therein, so far as the same are applicable, and the duties required by the terms of the acts to be done by the county officers, shall be performed by the corresponding officers of each city in regard to the listing and valuation of property, and the assessment and collection of taxes, and all matters pertaining thereto: *Provided*, That all city taxes shall be paid on or before the third Monday in April of each year, unless the Common Council shall, by ordinance or resolution, determine otherwise, as provided by law: *And, provided further*, That in any city in which the office of City Assessor be abolished, the assessment of real and personal property, as made and returned by the Township Assessor, shall serve as the assessment for city purposes, and the proper city officers shall have access to the Assessor's book and to the tax duplicates in the County Auditor's office, for the purpose of transcribing therefrom a list of the property assessed, as the same shall have been equalized by the Board of Review and the State Board of Tax Commissioners.

SEC. 257. Any person who, under any of the proceedings required or permitted by this act, shall wilfully swear falsely, shall be guilty of perjury, and subject to all its penalties.

SEC. 258. Any Assessor or member of a Board of Review, or of a Board of Equalization, who shall wilfully assess any property at more or less than what he believes to be its true cash value, as the same is defined in this act, shall be guilty of a misdemeanor, and on conviction thereof he shall be punished by a fine not exceeding three hundred dollars, or by imprisonment in the county jail not more than one year, or both, in the discretion of the Court.

SEC. 259. Any officer who shall wilfully neglect or refuse to perform any of the duties imposed on him by this act shall, when no other provision is made herein, be guilty of a misdemeanor, and on conviction thereof, shall be punished by imprisonment in the county jail not exceeding six months, or by fine not exceeding two hundred dollars, or both, in the discretion of the Court, and shall be liable to any person injured thereby to the full extent of the damages sustained.

SEC. 260. The State Board of Tax Commissioners is hereby authorized to prepare for the use of Assessors a more complete and perfect form of "schedule of property" than that set out in section 54 of this act, with a view of securing a full assessment of all the property of the State; and all County Auditors are directed to use such form in preparing blanks for the use of Assessors. Said Board is also authorized to prepare, in like manner, a new form of tax receipt for the use of County Treasurers, which form of receipt, when so prepared, shall be used by all County Treasurers.

SEC. 261. All laws and parts of laws within the purview of this act, including, "An act to render uniform the assessments of personal property in the several townships of the different counties," approved March 8, 1889, and also "An act to levy an annual tax for the purpose of raising revenue," approved March 8, 1877, are hereby repealed.

SEC. 262. Inasmuch as an emergency exists, therefore this act shall take effect and be in force from and after its passage.

The report of the committee was concurred in.

On motion of Senator Magee, the consideration of Senate Bill No. 258 was made the special order for next Tuesday morning at 10 o'clock, in committee of the whole.

Senator Thompson, of Pulaski, chairman of the Committee on Public Health, made the following report on Senate Bill No. 226.

MR. PRESIDENT:

Your Committee on Public Health, to whom was referred Senate Bill No. 226, introduced by Senator Jackson, have had said bill under consideration and beg leave to report same back with the recommendation that it do pass.

THOMPSON (of Pulaski),
Chairman.

Senator Thompson of Pulaski, chairman of the Committee on Public Health, made the following report on Senate Bill No. 309:

MR. PRESIDENT:

Your Committee on Public Health, to whom was referred Senate Bill No. 309, introduced by Senator French, have had the said bill under consideration and beg leave to report same back with the recommendation that it do pass.

THOMPSON (of Pulaski),
Chairman.

Engrossed House Bill No. 118 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Caster, Chandler, Clemans, Ellison, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hobson, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 38.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Jackson was granted leave of absence on account of sickness.

On motion of Senator Thompson, of Huntington, the Senate adjourned.

SATURDAY AFTERNOON.

FEBRUARY 21, 1891.

The Senate convened at 2 o'clock P. M.

Lieutenant-Governor Chase in the chair.

The question being on Senator Hubbell's motion to substitute the minority for the majority report on Engrossed House Bill No. 268.

The ayes and noes being demanded by Senators Morgan and Shockney.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Burke, Chandler, Ellison, Fulk, Griffith, Grimes, Hayden, Holcomb, Kerth, Kopelke, Magee, McHugh, Morgan, Shanks, Smith, Thompson of Huntington, and Wiggs. Total, 17.

Those voting in the negative were:

Senators Boyd, Byrd, Carver, Caster, Clemans, Foley, Francis, French, Gilman, Grose, Harlan, Hobson, Howard, Hudson, Jones, Kennedy, Loveland, Moore, Mount, Shockney, Sweeney, Thompson of Marion, and Yaryan. Total, 23.

So the motion to substitute the minority for the majority report failed of adoption.

The majority report was then concurred in.

Senator Burke offered the following amendment and moved its adoption :

MR. PRESIDENT :

I move to amend House Bill No. 268 by inserting the words "or cigars" after the word "cigarettes" in line 3, of Section 1, of the printed bill, and by inserting the words "or cigars" after the word "cigarettes" in lines 3 and 5 of Section 2.

Senator Hudson moved to reject the amendment.

The ayes and noes being demanded by Senators Burke and McHugh.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Ellison, Foley, Francis, Hayden, Howard, Hudson, Jones, Kennedy, Kerth, Magee, Shockney, Thompson of Marion, and Yaryan. Total, 17.

Those voting in the negative were :

Senators Burke, Caster, French, Fulk, Gilman, Griffith, Grimes, Harlan, Hobson, Holcomb, Hubbell, Kopelke, Loveland, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, and Wiggs. Total, 22.

So the motion to reject was lost.

The question being on the adoption of Senator Burke's amendment, and the ayes and noes being demanded by Senators Burke and Harlan.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Burke, Caster, Fulk, Gilman, Griffith, Grimes, Harlan, Hobson, Holcomb, Hubbell, Kopelke, Loveland, McHugh, Morgan, Moore, Mount, Shanks, Smith, Thompson of Huntington, and Wiggs. Total, 20.

Those voting in the negative were :

Senators Akin, Boyd, Byrd, Carver, Ellison, Foley, Francis, French, Grose, Hayden, Howard, Hudson, Jones, Kennedy, Kerth, Magee, Shockney, Sweeney, Thompson of Marion, Yaryan, and Mr. President. Total, 21.

So the amendment failed of adoption.

Senator Loveland offered the following amendment, and moved its adoption :

MR. PRESIDENT :

I move to amend House Bill No. 268 by inserting after the word "tobacco" in line five of section one of the printed bill the words "or vinous, malt, or other intoxicating liquors;" also, after the word "narcotic" in line five in section two of the printed bill the words, "or in the case of an application for the sale of intoxicating liquor, that the liquor is pure and without adulteration."

Senator McHugh moved to refer the whole matter to the Committee on Temperance with instructions to report next Wednesday.

Senator Magee moved to lay the whole matter on the table.

The ayes and noes being demanded by Senators Burke and Boyd, the roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Chandler, Ellison, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Kerth, Kopelke, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Huntington. Total, 19.

Those voting in the negative were :

Senators Boyd, Byrd, Carver, Caster, Ewing, Foley, Francis, Gilman, Grose, Harlan, Hobson, Howard, Hudson, Jones, Kennedy, Loveland, Mount, Shockney, Thompson of Marion, Thompson of Pulaski, Wiggs and Yaryan. Total, 22.

So the motion to lay on the table was lost.

Senator Burke moved that the further consideration of En-grossed House Bill No. 268, be indefinitely postponed.

On this motion Senator Magee demanded the previous question.

The question being, Shall the Senate second the demand for the previous question?

The ayes and noes being demanded by Senators Burke and Boyd.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Chandler, Ellison, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Kennedy, Kerth, Kopelke; McHugh, Magee, Morgan, Shanks, Sweeney, Thompson of Huntington. Total, 19.

Those voting in the negative were :

Senators Boyd, Byrd, Carver, Caster, Ewing, Foley, Francis, Gilman, Grose, Harlan, Hobson, Hudson, Jones, Loveland, Mount, Shockney, Thompson of Marion, Thompson of Pulaski, Wiggs and Yaryan. Total, 20.

So the Senate refused to second the demand for the previous question.

The question recurring on Senator McHugh's motion to refer the whole matter to the Committee on Temperance, the same failed to prevail.

Senator Burke moved that when the Senate adjourn it be till next Monday morning at 11 o'clock, which motion prevailed.

Senator Burke moved to adjourn.

The ayes and noes being demanded, the roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Chandler, Clemans, Ellison, Francis, Fulk, Griffith, Grimes, Hayden, Holcomb, Hubbell, Hudson, Kerth, Kopelke, Loveland, McHugh, Magee, Morgan, Thompson of Marion, Thompson of Huntington, and Wiggs. Total, 22.

Those voting in the negative were :

Senators Akin, Byrd, Caster, Ewing, Foley, French, Gilman, Grose, Harlan, Hobson, Howard, Jones, Kennedy, Mount, Shockney, Sweeney, and Thompson of Pulaski. Total, 17.

So the motion to adjourn prevailed.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

MONDAY MORNING.

FEBRUARY 23, 1891.

Pursuant to adjournmant the Senate convened at 11 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayor was offered by Senator Hobson.

After the reading of a portion of the Journal, on motion of Senator Jackson, the further reading of the same was dispensed with.

Senator Jackson, chairman of the Committee on County and Township Business, made the following report on Engrossed House Bill No. 486:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred House Bill No. 486, introduced by Representative Moss, having had the same under consideration, beg leave to report the same back with the recommendation that the bill do pass.

JACKSON,
Chairman.

The report of the committee was concurred in.

Senator Sweeney, chairman of the Committee on Corporations, made the following report on Engrossed House Bill No. 519:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Engrossed House Bill No. 519, introduced by Representative Nolan, have had the same under consideration, and beg leave to report the same back recommending that it do pass.

SWEENEY,
Chairman.

Senator Thompson, of Pulaski, chairman of the Committee on Public Health, Vital and Other Statistics, made the following report on Senate Bill 292:

MR. PRESIDENT:

Your Committee on Public Health, Vital and Other Statistics, to whom was referred Senate Bill No. 292, introduced by Senator Thompson, of Marion, have had the said bill under consideration, and beg leave to report the same back with the recommendation that it be indefinitely postponed.

THOMPSON, of Pulaski,
Chairman.

The report of the committee was concurred in.

Senator Chandler, chairman of the Committee on Insurance, made the following report on Senate Bill No. 825:

MR. PRESIDENT:

Your Committee on Insurance, to whom was referred Senate Bill No. 825, introduced by Senator Grimes, beg leave to report the same back with the recommendation that the bill do pass.

MORGAN CHANDLER,
Chairman.

Senator Chandler, chairman of the Committee on Insurance, made the following report on Senate Bill No. 826:

MR. PRESIDENT:

Your Committee on Insurance, to whom was referred Senate Bill No. 826, introduced by Senator Grimes, beg leave to report the same back with the recommendation that the bill pass.

MORGAN CHANDLER,
Chairman.

Senator Holcomb, chairman of the Committee on Executive Appointments, made the following report:

MR. PRESIDENT:

Your Committee on Executive Appointments, to whom was referred the message of the Governor, nominating Stanton J. Peelle, of Marion County, and William C. Ball, of Vigo County, as Trustees of the Indiana Reform School for Boys,

beg leave to report that we have had said message under consideration, and recommend that said appointments be confirmed by the Senate.

HOLCOMB,
Chairman Executive Appointments.

The report of the committee was concurred in and the nominations confirmed.

Senator Magee moved to reconsider the vote taken, and that it lie upon the table.

The motion was adopted.

Senator Byrd, chairman of the Committee on Mines and Mining, made the following report on Engrossed House Bill 18:

MR. PRESIDENT:

Your Committee on Mines and Mining, to whom was referred House Bill No. 18, having had the same under consideration submit the following report:

Amend section 5 as follows:

After the word "than" in section 5 and line 12 strike out the word five and the figure 5, and in lieu thereof insert the word six and figure 6. Also strike out the word "forty" in section 5 and line 17 and in lieu thereof insert the word "thirty."

Amend section 12 by inserting the following after the word "and" in line 10, "when found unsafe he shall order and direct."

Also amend section 20 by striking out lines 1, 2, 3, 4, 5 and the word "write" in line 6 of said section, and insert in lieu thereof the following:

"Section 20. That no male person under the age of fourteen (14) years, or female of any age shall." And strike out all after the word "violated" in line 17 of said section, and when so amended your committee recommend that said bill do pass.

BYRD,
Chairman.

Senator Byrd moved that the constitutional rule be suspended, that Engrossed House Bill No. 486 be read a second time by title, a third time by sections, and put upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Grimes, Hayden, Hays, Hobson, Howard, Hudson, Jackson, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski and Wiggs. Total, 35.

Those voting in the negative were :

Senators Jones and Mount.

So the constitutional rule was suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass :

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Ellison, Ewing, Foley, Francis, French, Fulk, Grimes, Grose, Harlan, Hayden, Hobson, Howard, Hudson, Jackson, Kennedy, Kerth, Kopelke, Lynn, Morgan, Sweeney, Thompson of Marion, Wiggs and Yaryan. Total, 28.

Those voting in the negative were :

Senators Chandler, Jones, Magee, Moore, Mount, Smith and Thompson of Huntington. Total, 7.

So the bill passed.

Senator Byrd offered the following motion :

MR. PRESIDENT :

I move that the title be amended by striking out in the title the words, "A bill for."

The motion prevailed.

The title to the bill as amended was adopted as the title to the act.

Senator Fulk, chairman of the Committee on Organization of Courts, made the following report on Engrossed House Bill No. 394:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Engrossed House Bill No. 394, introduced by Representative W. A. Cullop, have had the said bill under consideration, and have the honor to report the same back with the recommendation that it do pass.

FULK,
Chairman.

Senator Fulk, chairman of the Committee on Organization of Courts, made the following report on Engrossed House Bill No. 343:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Engrossed House Bill No. 343, introduced by Representative Beigler, have had the said bill under consideration, and have the honor to report the same back with the recommendation that it do pass.

FULK,
Chairman.

As unfinished business from Saturday, the question recurring on Senator Burke's motion to indefinitely postpone the further consideration of Engrossed House Bill No. 268.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Chandler, Ellison, Francis, French, Fulk, Grimes, Hayden, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Huntington. Total, 23.

Those voting in the negative were:

Senators Boyd, Byrd, Carver, Caster, Ewing, Foley, Gilman, Grose, Harlan, Hays, Hobson, Hudson, Loveland, Mount, Shockney, Thompson of Marion, Thompson of Pulaski, and Wiggs. Total, 18.

So the motion for indefinite postponement prevailed.

Senator Magee moved to reconsider the vote just taken, and to lay that motion on the table.

Which motion carried.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Engrossed Bill No. 66, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Engrossed Bill No. 624, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Engrossed House Bill No. 55, together with the report of the committee thereon, was read a second time.

The report was concurred in and the bill was passed to a third reading.

Engrossed House Bill No. 409, together with the report of the committee thereon, was read a second time.

The report was concurred in and the bill was passed to a third reading.

Engrossed House Bill No. 166, together with the report of the committee thereon, was read a second time.

The report was concurred in and the bill was passed to a third reading.

Engrossed House Bill No. 152, together with the report of the committee thereon, was read a second time.

The report was concurred in, and the bill was passed to a third reading.

Engrossed House Bill No. 397, together with the report of the committee thereon, was read a second time.

The report was concurred in, and the bill was passed to a third reading.

Engrossed House Bill No. 356, together with the report of the committee thereon, was read a second time.

The report was concurred in, and the bill was passed to a third reading.

Engrossed House Bill No. 344, together with the report of the committee thereon, was read a second time.

The report was concurred in, and the bill was passed to a third reading.

Engrossed House Bill No. 343, together with the report of the committee thereon, was read a second time.

The report was concurred in, and the bill was passed to a third reading.

Senator Shockney offered the following memorial:

To the Hon. Theodore Shockney, Joint Senator from the Counties of Randolph and Delaware:

The following resolutions were adopted by the Randolph County Farmers' Institute, held at Winchester during the third week of January, 1891:

WHEREAS, It is believed that many of the unsatisfactory results of farming are due to imperfect methods and lack of practical co-operation among the farmers in seeking the most economical methods of production; therefore be it

Resolved, That we have watched with deep interest the progress of this Farmers' Institute of Randolph County, and from the testimony of those attending, we believe that it will result in a higher appreciation of our calling, using more successful methods and lightening labor, with advanced, progressive thought

Resolved, That we demand of the present Legislature an appropriation sufficient to enable the State to make a commendable exhibit of its various interests and industries at the World's Fair, to be held in Chicago in 1893.

Resolved, That we approve the act of the Legislature in the passage of the Institute law, and ask for a continuance of the appropriation for the work.

Resolved, That the compensation of officials, judicial, State and county, be so revised as to make their pay correspond to the rewards of labor performed in similar services in other occupations.

Resolved, That we, the farmers of Randolph County, do hereby memorialize the Legislature of Indiana for the passage of a law which will afford adequate protection to the insectivorous native birds of the State, at the same time provide for the scientific and economic investigation of the same, and we commend the work of the Indiana Academy of Science looking toward the accomplishment of this result.

B. F. Boltz,
President.

GEORGE CALVIN SCHULTZ,
Secretary.

Referred to Committee on Agriculture.

Senator Magee presented the following memorial:

*Hon. Rufus Magee, Member of the
General Assembly of the State of Indiana:*

SIR—We, the undersigned, citizens of Cass County, Indiana, respectfully call your attention to enclosed copies of a bill for an act providing for the protection of physicians, surgeons, dentists, editors, authors, publishers, artists, architects, designers and engravers against speculative lawsuits, and of a bill for an act concerning expert testimony. It is our belief that legislative action is imperatively demanded in relation to the matters set forth in these bills, that the rights of the professions named may be protected and the interests of justice furthered, matters in which all the citizens of the State are

concerned; therefore, we petition that when said bills, or their equivalent, come before the General Assembly for action, you will, by your influence and vote, favor their passage.

Signed by N. D. Cady and others.

Read and referred to the Committee on Judiciary, with instructions to report a bill in accordance with prayer herein.

On motion of Senator Boyd, the Senate adjourned.

MONDAY AFTERNOON.

FEBRUARY 23, 1891.

Senate convened at 2 o'clock p. m., with Lieutenant-Governor Chase in the chair.

Senator Ellison presented the following notice:

MR. PRESIDENT:

I give notice that at the proper time, under the rules, I will move a reconsideration of the vote by which the amendment to Engrossed House Bill No. 111 was passed.

Senator Hudson, chairman of the Committee on Labor, offered the following report on Engrossed House Bill No. 252:

MR. PRESIDENT:

Your Committee on Labor and Labor Statistics, to whom was referred Engrossed House Bill No. 252, beg leave to report that they have considered said bill and recommend that the same do pass.

HUDSON,
Chairman.

Senator Harlan offered the following memorial :

ALEXANDRIA, IND., February 21, 1891.

Senator A. E. Harlan :

DEAR SIR—I send you a copy of the resolutions passed by our Township Teachers' Institute.

Yours truly,

E. E. EDWARDS,
Secretary.

The following resolutions were passed by the teachers of Monroe Township Institute, held at Alexandria, Ind., on Saturday, January 24, 1891, and the Secretary was ordered to send a copy to Senator A. E. Harlan, and one to Representative J. W. Farlow :

WHEREAS, The schools of the State of Indiana have, under the County Superintendency system, made unparalleled growth, and that the standard of public schools has been raised to a higher plane, and is nearer the ideal to-day than ever before, and that we believe the repealing of the County Superintendency law means a death blow to the schools under which they will retrograde and suffer irreparable loss; therefore,

Resolved, That the office of County Superintendent is absolutely necessary and indispensable to the welfare of the public schools.

WHEREAS, Under the present system of enumeration of the State of Indiana the city has a great advantage over the rural districts in the length of terms; therefore,

Resolved, That the apportionment *per capita* should be made upon the actual attendance and not upon the enumeration or upon enrollment.

D. C. HUPP,
President.

E. E. EDWARDS,
Secretary.

Referred to Committee on Education.

Senator Fulk offered the following memorial :

H. O. Post 376, G. A. R.,
DEPT. OF INDIANA. }
HARRDSBURG, Feb. 20, 1891. }

Hon. R. A. Fulk, S. S., Indianapolis, Ind.:

At a regular meeting of above post held in their hall at Harrodsburg, Ind., on the 19th day of February, 1891, by vote of post the Commander was requested to write to you asking that you use your influence to secure the passage of Senate Bill No. 15, or as many items of said bill as are necessary to make the Home for the Soldiers' and Sailors' Orphans what it should be—that is, able to accommodate all applicants for whom it was intended. Recognizing as citizens and taxpayers the financial condition of the State at present, yet if the counties in their alms houses have to keep and support the same class of children as they are doing at present, the transfer to the Knightstown Home could not entail but little more expense on the people, to say nothing of the different class of citizens turned out from the Home. As comrades of the fathers of those children, and in our belief whose actions and patriotism in the field has been the cause of their orphanage, we think those children *have* a claim on the State paramount to anything granted to the other charities. Their fathers have died before, in the natural course of events, they had come to the prime of life, and we, their comrades, object as far as in us lies, to raising their children as mere brute animals, such as county asylums turn forth.

Knowing, Uncle Dick, your character as we do, we feel assured that you will do what justice, morality and patriotism dictates in the matter, and sign ourselves, on behalf of Post 376.

Respectfully yours,

JOHN BROGAN,
Commander.

JOHN C. CLAY,
Adjutant.

Referred to Committee on Benevolent Institutions.

Senator Hubbell introduced Senate Bill No. 367, entitled :

A bill for an act to authorize County Commissioners, upon petition of one-half in number, or more, of the owners of lands that have been assessed for the construction of any ditch or drain, to put in weirs or gates in such ditch or drain, providing for their location, character, and manner of construction and maintenance, authorizing the appointment of viewers for such purpose, and prescribing their powers and duties, providing for remonstrance by persons interested or aggrieved, thereby, prescribing the action of said County Commissioners in such cases, and providing an appeal therefrom to the Circuit Court, and for damages by petitioner or remonstrant, and for the recovery of costs.

Read first time and referred to the Committee on Judiciary.

Senator Gilman introduced Senate Bill No. 368, entitled :

A bill for an act to discourage white capism and like lawless proceedings, and to protect the citizens of the State against such violence, and declaring an emergency.

Read first time and referred to the Committee on Rights and Privileges.

Senator Mount introduced Senate Bill No. 369, entitled :

A bill for an act to extend the laws now in force in relation to land surveys, so that they shall apply to boundary lines under ground or in mines, quarries, etc., providing additional methods for making such surveys, and penalties for its violation, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Loveland introduced Senate Bill No. 370, entitled :

A bill for an act to provide for the appointment of commissions to prepare and report to the Legislature a bill to facilitate the transfer of land, or the requisition and transfer of the titles thereto, and to lessen the expenses and simplify dealings therein.

Read first time and referred to the Committee on Judiciary.

Senator Akin, chairman of the Committee on Agriculture, offered the following report on Engrossed House Bill No. 498 :

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Engrossed House Bill No. 498, introduced by Representative Farlow, beg leave to report the same back to the Senate, with the recommendation that the bill do pass.

Senator Fulk called up the reports on Senate Bill No. 188, and moved that the minority report be adopted.

The ayes and noes being demanded by Senators Fulk and Wiggs.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Fulk, Moore, Mount, Thompson of Pulaski, Wiggs. Total, 5.

Those voting in the negative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Ellison, Ewing, Foley, Francis, French, Gilman, Grimes, Grose, Hayden, Hays, Holcomb, Howard, Hubbell, Jackson, Jones, Kennedy, Kopelke, Loveland, McHugh, Magee, Shanks, Shockney, Smith, Sweeny, Thompson of Marion, Thompson of Huntington, Yaryan. Total, 33.

The motion was lost.

On motion of Senator Boyd the majority report was concurred in.

Engrossed House Bill No. 269 was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Caster, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Grimes, Harlan, Hayden, Hays, Holcomb, Howard, Jackson, Jones,

Kennedy, Kerth, Kopelke, McHugh, Magee, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Wiggs. Total, 32.

Those voting in the negative were :

Senators Carver, Grose, Loveland, Yaryan. Total, 4.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 70 was read a third time.

Senator Boyd moved to suspend the rule in regard to having the bill printed and that it be considered printed, and read a third time and put upon its passage.

The rules were suspended and the bill read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Caster, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Gillman, Grimes, Grose, Harlan, Hayden, Holcomb, Howard, Hubbell, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 36.

Those voting in the negative were :

Senators Carver and Loveland. Total, 2.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 809 was read a third time.

Senator Magee moved that the bill be re-engrossed.

Senator Ewing moved to amend the motion, that the bill be considered engrossed.

The amendment was adopted.

Senator Howard offered the following motion :

MR. PRESIDENT :

I move that House Bill No. 309 be referred to a special committee of one to amend as follows : After "cause," in Section 5, insert the words "or estate."

The motion failed of adoption.

Senator Ewing offered the following motion :

MR. PRESIDENT :

I move that Engrossed House Bill No. 309 be referred to a special committee of one with instructions to amend the same by striking out the words "Section 1," after the word "Indiana," in line 10 of page 1, and by inserting said words "Section 1" before the word "Be" in line 7 of said page 1.

The motion was adopted.

Senator Ewing was appointed as such special committee.

Senator Ewing as the Special Committee made the following report :

MR. PRESIDENT :

Your Special Committee of one to whom was referred Engrossed House Bill No. 309, with instruction to amend the same would report that he has amended the same as instructed.

Ewing.

The report of the Committee was adopted.

The bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Grimes, Harlan, Hayden, Hays, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan.
Total, 37.

Those voting in the negative were :

Senators Caster, Grose, Magee and Mount. Total, 4.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed House Bill No. 270 was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Ellison, Foley, Francis, French, Fulk, Gilman, Grimes, Grose, Harlan, Hays, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Morgan, Moore, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total 87.

Senator Shockney voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 166, together with the report of the committee thereon, was read a second time.

The report was concurred in.

Senator McHugh moved that the constitutional rule be suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Grimes, Grose, Hays, Holcomb, Howard, Hubbell, Hudson, Jackson, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Grimes, Grose, Harlan, Hayden, Holcomb, Howard, Hudson, Jackson, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 86.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Leave of absence was granted Senator Sweeney until tomorrow.

Engrossed House Bill No. 86 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Harlan, Hayden, Holcomb, Howard, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 84.

Senator Hays voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill 29 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Harlan, Hayden, Hays, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 254 was read a third time.

Senator Byrd moved that the amendments made by the committee be considered engrossed.

The motion was adopted.

Senator Akin offered the following motion:

MR. PRESIDENT:

I move to refer House Bill No. 254, to a committee of one, with instructions to strike out section 6.

(The emergency clause.)

The motion was adopted.

Senator Akin was appointed as such special committee.

Senator Akin, as the special committee, made the following report:

MR. PRESIDENT:

Your committee, to whom was referred House Bill No. 254, begs leave to report that he has complied with the instructions of the Senate by striking out section 6.

AKIN,
Chairman.

The report of the committee was concurred in.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Harlan, Hayden, Hays, Holcomb, Howard, Hubbell, Hudson, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 119 was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Harlan, Hayden, Hays, Holcomb, Howard, Hudson, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 35.

Senator Shockney voting in the negative.

So the bill passed.

The title to the bill ordered to stand as the title to the act.

Engrossed House Bill No. 62 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Harlan, Hayden, Hays, Holcomb, Howard, Hudson, Jones, Kennedy, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Senators Jackson and Kopelke voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Loveland moved that Engrossed House Bill No. 22 be considered read a second time.

The motion was adopted.

Engrossed House Bill No. 22 was read a second time.

Engrossed House Bill No. 252 was read a second time.

Senator Shockney moved that the constitutional rule be suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Hayden, Hays, Hobson, Holcomb, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Magee, Moore, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

Senator Howard voting in the negative.

So the constitutional rule was suspended, the bill read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Hayden, Hays, Hobson, Holcomb, Hubbell, Hudson, Jackson, Jones, Kannedy, Kerth, Kopelke, Lynn, Moore, Mount, Shanks, Shockney, Smith, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Those voting in the negative were :

Senators Howard and Magee.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senate Bill No. 228, together with the report of the committee thereon, was read a second time.

The report of the committee was non-concurred in.

Senator Yaryan moved to suspend the constitutional rule, that the bill be read a third time by sections and placed upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Ellison, Fulk, Gilman, Grose, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Jones, Kennedy, Kopelke, Loveland, Lynn, Moore, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 31.

Those voting in the negative were :

Senators Ewing, Foley, French, Jackson, Keith, Magee. Total, 6.

So the constitutional rule was not suspended for want of a constitutional majority.

Senate Bill No. 291, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 270, together with the reports of the committee thereon, was read a second time.

The majority report was concurred in and the bill ordered engrossed.

Senate Bill No. 340, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 238, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 240, together with the reports of the committees thereon, was read a second time.

Senator French moved that the reports of, the committees be concurred in.

Which motion prevailed.

Senator French then moved that the constitutional rule be suspended, the bill considered engrossed, read a third time by sections, and put upon its passage.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Chandler, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Hayden, Hays, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 37.

Senators Carver and Hubbell voting in the negative.

So the constitutional rule was suspended, the bill considered engrossed, read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carter, Caster, Ellison, Foley, French, Frazar, Grimes, Grimes, Gross, Hayden, Hays, Hillscomb, Howard, Hudson, Jackson, Jones, Kennedy, Keith, Kopelke, Loveall, Lynn, Moore, Mount, Sparks, Stockney, Smith, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 23.

Those voting in the negative were:

Senators Chandler, Hubbell, Magee. Total, 3.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senate Bill No. 306, together with the report of the committee thereon, was read a second time.

The report was concurred in, and the bill ordered engrossed.

Senate Bill No. 184, together with the report of the committee thereon, was read a second time.

The report was concurred in and the bill ordered engrossed.

Senate Bill No. 244, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

Senate Bill No. 197, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Magee moved that the constitutional rule be suspended that the bill be read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The question being upon the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Ellison, Ewing, Foley, French,

Fulk, Gilman, Grimes, Grose, Harlan, Hays, Holcomb, Holland, Howard, Hubbell, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski and Wiggs. Total, 37.

Those voting in the negative were :

Senators Kopelke and Yaryan. Total, 2.

So the constitutional rule was suspended, the bill was read a second time by title, considered engrossed, read a third time by sections.

Senator Magee offered the following motion.

MR. PRESIDENT :

I move to refer the bill to committee of one to make the following amendments, to substitute the following for section 4: "Every itinerant vendor who shall sell or expose for sale at public or private sale within the corporate limits of any city or incorporated town any goods, wares or merchandise without a city or town license therefor issued as hereinafter provided, shall be guilty of a misdemeanor, and shall be fined not more than fifty dollars or imprisoned not more than sixty days or both," and when so amended that the bill do pass.

MAGEE,
Chairman.

The motion prevailed.

Senator Magee was appointed as such special committee.

Senator Magee as the special committee made the following report:

MR. PRESIDENT :

Your special committee of one, to whom was referred Senate Bill No. 197, for amendment, beg leave to report that he has made said amendment as directed by the Senate.

MAGEE.

The report of the committee was concurred in.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Ellison, Foley, Fulk, Grose, Harlan, Hays, Hobson, Howard, Hudson, Jackson, Jones, Kerth, Kopelke, Loveland, Lynn, Magee, Moore, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 32.

Those voting in the negative were :

Senators Ewing, French and Grimes. Total, 3.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senate Bill No. 271, together with the report of the committee thereon, was read a second time.

The report was concurred in, and the bill ordered engrossed.

Senate Bill No. 278, together with the report of the committee thereon, was read a second time.

The report was concurred in, and the bill ordered engrossed.

Senate Bill No. 255, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 151, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and the bill ordered engrossed.

On motion of Senator Thompson, of Huntington, the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

TUESDAY MORNING.

FEBRUARY 24, 1891.

The Senate convened at 9 o'clock A. M.

Lieutenant-Governor Chase in the chair.

Prayer was offered by Senator Howard.

After the reading of a portion of the Journal, on motion of Senator Jones, the further reading of the same was dispensed with.

Senators Byrd, Chandler, Hobson and Carver, a sub-committee of the Committee of Benevolent Institutions, were granted leave of absence for this forenoon.

Senator Smith introduced Senate Bill No. 871, entitled :

A bill for an act for the annexation of lands in an adjoining county, to a town or city in another county, for municipal purposes, and declaring an emergency.

Read first time and referred to the Committee on Cities and Towns.

Senate Bill No. 254, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator McHugh offered the following amendment :

MR. PRESIDENT :

I move to amend section 2 by striking out all of the said section, and insert in lieu thereof the following :

“That section 114 of an act providing for the settlement and distribution of decedent's estate, approved April 14, 1881, being section 2389 of the Revised Statutes of 1881, be and the same is hereby repealed.”

Also, by inserting in section 3, after the words of 1881, the following :

"The same being section 114 of an act providing for the settlement and distribution of decedents' estates, approved April 14, 1881."

The amendment was adopted, and the bill ordered engrossed.

Senator Hobson moved to take Senate Bill No. 14 from the table.

The motion failed of adoption.

Senator Holland, chairman of the Committee on Claims, offered the following report on Senate Bill No. 317:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Senate Bill No. 317, introduced by Senator Foley, beg leave to refer the claim to the Committee on Finance without recommendation.

The bill was so referred.

Senator Holland, chairman of the same committee, also offered the following report on Senate Bills Nos. 262 and 355:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Senate Bills No. 262 and 355, introduced respectively by Senators Burke and Thompson, beg leave to report said bills back to the Senate and recommend that the said bills be referred to the Committee on Finance.

The above bills were so referred.

Senator Holland, chairman of the same committee, also offered the following report on Engrossed House Bill No. 187:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred House Bill No. 187, introduced by Representative Mack, have considered the same, and recommend that said bill pass, and that the same be referred to the Committee on Finance.

The bill was so referred.

Senator Holland, chairman of the same committee, also offered the following report on Engrossed House Bill No. 355 :

MR. PRESIDENT:

Your Committee on Claims and Expenditures, to whom was referred Engrossed House Bill No. 355, introduced by Representative Zoercher, have had the said bill under consideration, and have the honor to report same back with the recommendation that it pass, and that it be referred to the Committee on Finance.

The bill was so referred.

Senator Magee offered the following memorial :

LOGANSPOUT, IND., February 19, 1891.

To the Honorable Members of the Indiana State Senate :

We, the undersigned, employes of the Pennsylvania lines in the State of Indiana, desire to enter our protest against the passage of House Bill No. 22, and known as the Kelly Bill. Said bill, if passed, will militate against the Voluntary Relief Department of the Pennsylvania lines west of Pittsburg, which is operated and conducted by the employes of the Pennsylvania lines, and to which we are members of our own volition. We find, by actual experience, that the benefits derived from the Voluntary Relief Department as supported by the employes of the Pennsylvania lines are satisfactory, and respectfully petition your honorable body to defeat the passage of said bill.

JAMES GARMLEY,
and one thousand others.

Referred to the Committee on Labor.

Senator Yaryan offered the following memorial :

RICHMOND, IND., February 19, 1891.

To the Honorable Body of State Senators, Indianapolis, Ind. :

We, the employes on the Pennsylvania lines west of Pittsburg, view with alarm House Bill No. 22, introduced by Mr. Kelley. We think this bill militates against our Voluntary Relief Association, established on the Pennsylvania lines for the benefit of employes and their families in case of sickness or

death. We therefore protest against the passage of any law in which our rights and privileges are endangered. We have been members of this association for the last 18 months and it is entirely satisfactory to us.

D. MULLIGAN,
and 300 others.

Referred to the Committee on Labor.

Engrossed House Bill No. 66, entitled: A Bill for an act to amend sections eleven (11), sixteen (16), nineteen (19), twenty (20), twenty-one (21), and thirty-one (31), (the same being sections 4295, 4300, 4303, 4304 and 4314 of the Revised Statutes of 1881) of an act entitled an act to enable the owners of lands to drain and reclaim them when the same can not be done without affecting the lands of the others, prescribing the powers and duties of County Commissioners, and other officers in the premises, and to provide for the repair and enlargement of such drains, and repealing certain acts therein specified, and declaring an emergency. Approved April 21, 1881, and to provide a method of repairing drains, and declaring an emergency.

Read first time and referred to Committee on Drains and Drainage.

Engrossed House Bill No. 624, entitled:

A bill for an act authorizing the Auditor of State to sell and convey certain lands located in Rush County, Indiana, purchased for the use of Fairview Academy, under an act entitled "An act to incorporate Fairview Academy in Rush County," approved February 16, 1848, and declaring an emergency.

Read first time.

Senator Chandler moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Grimes,

Grose, Hanley, Harlan, Hays, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, McHugh, Magee, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 38.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, a third time by sections, and placed upon its passage.

The question being on the passage of Engrossed House Bill No. 624, the roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hays, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Wiggs. Total, 36.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Shockney, by request, introduced Senate Bill No. 372, entitled :

A bill for an act for the relief of Isaac V. D. R. Johnson, Treasurer of the county of Randolph, relieving him from liability for the loss of two thousand dollars deposited in the banking house of C. L. Lewis & Co., and declaring an emergency.

Read first time and referred to Committee on County and and Township Business.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has amended and passed Senate Bill No. 137, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was received from the House.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 275, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

On motion of Senator Chandler, Senate Bill No. 339 was indefinitely postponed.

Senator Thompson, of Marion, introduced the following memorial :

To the Senate and House of Representatives of the State of Indiana :

The sub-committee of the Philanthropic Committee of Indiana Yearly Meeting of Friends, belonging to the North A Street Meeting, in the city of Richmond, Indiana, being much interested in philanthropic work, as presents in our surroundings, and having given much consideration to the condition and surroundings of female prisoners, and fully believing that the placing of female prisoners in charge of the custody of females would result in great benefit to this unfortunate class of humanity, and, also, prove a source of improvement to their moral condition, respectfully call attention to the laws now governing such offenders, and petition that a change be made by which it shall be obligatory that female law-breakers be placed in charge of female keepers and in separate buildings entirely from male prisoners, particularly in cities where such provisions can be made for their safe keeping. As this has been, it is left discretionary with the persons to whom they may be tried, instead of obligatory, a

quence has been, in many cases, that such female prisoners have been committed to the common jail of the county where said females are only nominally separated from male prisoners.

Signed in behalf of said sub-committee.

ELIZA M. MORRIS,

Secretary.

RICHMOND, IND., Second Month 23, 1891.

AARON G. GONO,
Chairman.

Read and referred to the Committee on Benevolent Institutions.

Senator Holland, chairman of Committee on Claims, made the following report on Senate Bill No. 188:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Engrossed House Bill No. 188, having considered the same, recommend that the same pass, and that said bill be referred to Committee on Finance.

HOLLAND,
Chairman.

Senator Holland also presented the following report on Senate Bill No. 310:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Senate Bill No. 310, introduced by Senator Hudson, having considered the same, beg leave to recommend that the bill pass and that the same be referred to Committee on Finance.

HOLLAND,
Chairman.

Senator Holland also presented the following report on Engrossed House Bill No. 164:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Engrossed House Bill No. 164, introduced by Representative Nolan, having considered the same, beg leave to recommend that the same pass, and that said bill be referred to Committee on Finance.

HOLLAND,
Chairman.

Senator Holland presented the following memorial:

HEADQUARTERS W. R. C. No. 60, }
LIBERTY, IND., February 2, 1891. }

WHEREAS, There have been introduced and are now pending in the Legislature of the State of Indiana Senate Bill No. 15 and House Bill No. 6, for the maintenance and improvement of the Indiana Soldiers' and Sailors' Orphan's Home; and,

WHEREAS, It becomes necessary to improve and enlarge said Home for the comfort, welfare and education of the orphans of those who spent a portion of their lives and lost their health in the defense of our country, that we might enjoy a republican form of government; and,

WHEREAS, It is put just and humane, as well as charitable and benevolent, that the people of the State of Indiana do erect and maintain a suitable home with all modern comforts and necessities for the children of our fallen heroes; therefore, be it

Resolved, That we do respectfully request and earnestly solicit our Senator and Representative to support and use all honorable means for the passage of Senate Bill No. 15 and House Bill No. 6; and be it further

Resolved, That a copy of these resolutions be sent to Hon. William G. Holland, Senator from Union, Franklin and Ripley counties, and a copy to the Hon. Squire B. Rude, Representative from Franklin, Union and Ripley counties.

KATE A. JOHNSON,
AMANDA F. GROVE,
ALICE M. H. DAVIS,

Committee appointed by W. R. C. No. 60.

I heartily approve the above resolutions.

ALICE P. PIERSON,
Corps President.

Read and referred to the Committee on Benevolent Institutions.

Senator Griffith, chairman of the Committee on Enrolled Bills, presented the following report:

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom were referred Enrolled House Acts Nos. 886, 607, 260 and 226, have carefully examined the same and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Enrolled House Acts Nos. 886, 607, 260 and 226.

Senator Griffith also made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report that after Enrolled House Acts numbered 886, 607, 260 and 226 were signed by the presiding officers of both houses they delivered said acts to the Governor for his approval, this February 24, 1891.

F. M. GRIFFITH,
Chairman.

Engrossed House Bill No. 55 was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Holcomb, Holland, Hudson, Jackson, Kennedy, Kerth, Kopelke, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs, Yaryan. Total, 36.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 12 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Caster, Clemans, Ellison, Ewing, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Holcomb, Holland, Jackson, Jones, Kennedy, Kerth, Kopelke, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 37.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senate Bill No. 342, together with the report of the committee thereon, was read a second time.

Senator Ewing offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 342, by striking out all after the word "expense" in line 3 of section 3, and further, by adding the words "who may or may not be one of their number" after the word "Secretary," in line 4 of section 2 of the printed bill.

The amendment was adopted.

Senator Grimes offered the following amendment to Senate Bill No. 342:

MR. PRESIDENT:

I move to amend to strike out the word "two" in line 1 of section 7 of printed bill and insert in lieu thereof the word "one."

Senator Hayden offered the following amendment as a substitute:

MR. PRESIDENT:

I move to amend Senate Bill No. 342, by striking out in line 1, in section 7, the words "two hundred," and substituting "one hundred and fifty" therefor.

Senator Thompson offered the following amendment as a substitute:

MR. PRESIDENT:

I move to amend Senate Bill No. 342 by striking out "200,000," and inserting 50,000.

Senator Kennedy offered the following amendment as a substitute:

MR. PRESIDENT:

I move that the amount to be appropriated to carry out the provisions of Senate Bill No. 342, be ascertained by taking a vote of the Senate successively on the different amounts, commencing with \$50,000 and increasing by \$10,000 with each successive vote until an agreement is reached.

The hour of 10 o'clock having arrived and the special order for this hour being the consideration of Senate Bill No. 258, on motion of Senator Magee, the Senate went into the Committee of the Whole.

The President of the Senate called the Senate to order at 12 o'clock.

Senator Magee Chairman of the Committee of the Whole Senate, reported that the said Committee had had under consideration Senate Bill No. 258, had made progress thereon, and asked leave to sit again at 2 o'clock p. m., which leave was granted.

Engrossed House Bill No. 275, entitled:

A bill for an act fixing the compensation and prescribing the duties of certain State and County officers, and providing penalties for the violation of its provisions.

Read first time, referred to Committee on Fees and Salaries, and ordered printed immediately.

On motion of Senator McHugh, the Senate adjourned.

TUESDAY AFTERNOON.

FEBRUARY 24, 1891.

The Senate convened at 2 o'clock P. M.

Lieutenant-Governor Chase in the chair.

Engrossed House amendment to Senate Bill No. 137, was read as follows:

Strike out the words "and declaring an emergency," at the end of said title, and add the following, "and providing for such Metropolitan Police, and for such Board of Police Commissioners in all cities having an enumeration of fourteen thousand or more children between the ages of six and twenty years, and declaring an emergency."

Read and referred to Committee on Cities and Towns.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, offered the following report on Enrolled House Act No. 252:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled House Act No. 252, have carefully examined the same, and find the same correctly enrolled.

T. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Enrolled House Act No. 252.

Senator Griffith, chairman of the same committee, also offered the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that after Enrolled House Act No. 252 was signed by the presiding officers of both Houses, they delivered said act to the Governor for his approval, this, February 24, 1891.

F. M. GRIFFITH,
Chairman.

On motion of Senator Yaryan, Senate Bill No. 363 was recalled from the Committee on County and Township Business and referred to the Committee on Claims.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, IND., February 24, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has nominated Mrs. Eliza C. Hendricks, of Marion County, and Mrs. Claire A. Walker, of Marion County, to be members of the Board of Managers of the Reform School for Girls and Women's Prison, and the same is respectfully referred to the Senate for its consideration.

W. B. ROBERTS,
Private Secretary.

Senator Byrd moved that the Governor's appointments be confirmed by the Senate.

The motion was unanimously adopted.

Senator Loveland moved to reconsider the vote just taken, and to lay that motion on the table.

Which motion prevailed.

The Senate again went into the Committee of the Whole for the further consideration of Senate Bill No. 258, with Senator Magee as chairman.

At 5 o'clock President Chase called the Senate to order.

Senator Magee, Chairman of Committee of the Whole, reported progress, and asked leave to sit again at 10 o'clock to-morrow morning, which leave was granted.

On motion of Senator McHugh, the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

WEDNESDAY MORNING.

FEBRUARY 25, 1891.

The Senate convened at 9 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. D. R. Lucas, of the Central Christian Church, Indianapolis.

After the reading of a portion of the Journal, on motion of Senator McHugh, the further reading of the same was dispensed with.

Senate Bill No. 313, together with the reports of the committee thereon, was read a second time.

Senator Kirth moved that the majority report be concurred in.

Which motion prevailed, and the bill was ordered engrossed.

Senator Ellison offered the following motion :

MR. PRESIDENT:

Pursuant to notice given on February 23, 1891, I move to reconsider the vote by which the amendment adopted to Engrossed House Bill No. 111 was passed.

The ayes and noes were demanded by Senators Ellison and Foley.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Carter, Ellison, Foley, French, Fulk, Griffith, Grimes, Hobson, Hudson, Moore, Sweeney, Thompson of Huntington, and Wiggs. Total, 15.

Those voting in the negative were:

Senators Akin, Byrd, Carver, Chandler, Clemans, Francis, Gilman, Hauley, Harlan, Hayden, Hays, Holland, Howard, Jackson, Jones, Kerth, Kepelke, McHugh, Magee, Mount, Shanks, Shockney, and Thompson of Pulaski. Total, 23.

So the motion to consider was lost.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 620, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

Senate Bill No. 189, together with the reports of the committee thereon, was read a second time.

Senator Fulk moved to concur in the majority report.

Senator Hays moved to substitute the minority report for the majority report.

The ayes and noes being demanded by Senators Fulk and Chandler.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Loveland, Mount, Shockney and Yaryan. Total, 14.

Those voting in the negative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 33.

So the motion to substitute the minority for the majority report was lost.

The question recurring on Senator Fulk's motion to concur in the majority report, the ayes and noes being demanded by Senators Boyd and Harlan, the roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holland,

Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 32.

Those voting in the negative were:

Senators Boyd, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Loveland, Mount, Shockney and Yaryan. Total, 13.

So the majority report was adopted.

Senator Fulk moved that the bill be engrossed.

Senator Loveland moved to amend by referring it to the Committee on Judiciary.

Senator Magee demanded the previous question.

The question being, Shall the demand for the previous question be seconded?

The demand was seconded by the Senate.

The question then being, Shall the main question be now put?

The same was agreed to.

The question being on the adoption of Senator Loveland's amendment, and the ayes and noes being demanded by Senators McHugh and Magee, the roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Loveland, Mount, Shockney, Yaryan. Total, 14.

Those voting in the negative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 32.

So the amendment was lost.

The question recurring on Senator Fulk's motion.

The same prevailed.

Senator Burke offered the following memorials:

WINAMAC, IND., February 19, 1891.

To the Honorable Members of the Indiana State Senate :

We, the undersigned employees of the Pennsylvania lines operated in the State of Indiana, desire to enter our protest against the passage of House Bill No. 22, and known as the Kelly Bill. Said bill, if passed, will militate against the voluntary relief department of the Pennsylvania lines west of Pittsburg, which is operated and conducted by the employees of the Pennsylvania lines, and of which we are members of our own volition.

We find by actual experience that the benefits derived from the voluntary relief department, as supported by the employees of the Pennsylvania lines, are satisfactory, and respectfully petition your honorable body to defeat the passage of said bill.

JAS. DUGAN,
and fifty others.

Also, a similar memorial from Monticello, Ind., and signed by

M. MASSANO,
and fifty others.

Also, a similar memorial from Union City, Ind., and signed by

P. RULLY,
and fifty others.

Also, a similar memorial from Crown Point, Ind., and signed by

THOS. M. LAUGHLIN,
and one hundred others.

Also, a similar memorial from Marion, Ind., and signed by

THOMAS KEARM,
and twenty-five others.

Also, a similar memorial from Vincennes, Ind., and signed by

W. C. JOSTIN,
and eighty others.

Also, a similar memorial from Jeffersonville, Ind., and signed by

N. B. BOILOIN,
and fifty others.

Also, a similar memorial from Indianapolis, Ind., and signed by

J. G. MOODY,
and three hundred others.

The foregoing memorials were all ordered placed on file.

Senator Burke also offered the following remonstrance relative to House Bill No. 22:

To the Members of the Legislature of Indiana:

Whether so intended or otherwise, this bill is inimical to the relief fund of the Pennsylvania lines west of Pittsburg, as the same is now maintained by a large proportion of the employes of the Pennsylvania Company and the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company, which are operated largely in the State of Indiana.

This fund is formed as follows:

First. By voluntary contributions from such employes as may desire to enter into the membership.

Second. By payment of interest by the railroad companies, on the unexpended monthly balances held by them in trust.

Third. Re-imbursements by the railroad companies of any deficit in the fund, should any be found, upon settlement of the same every three years; and this without recourse upon the fund, whatever surplus may thereafter accumulate. Any surplus to have accumulated at the end of each three years' period is to be set apart and invested, together with the accumulated interest thereon, for use in forming a pension or superannuation fund for the benefit of aged and infirm members.

All expenses for the maintenance and operation of the relief fund are borne by the railroad companies out of their own treasuries, and without any recourse upon the fund.

No other disbursements whatever are or can be made from the fund than those to disabled members, and to the designated beneficiaries of deceased members, which are usually their dependent families. The payments to the fund by the members are in monthly contributions of fixed amounts, making them uniform and easy. No contributions are required from a member who is disabled, until he shall have recovered and returned to duty, and this regardless of the length of time disablement may continue. No increase, by way of assessment or otherwise, can be made in the monthly contribution, as fixed by the member himself in his application. The benefits paid from the fund are also in fixed sums which are not subject to any deduction. The railroad companies guarantee to make good any deficiency in the fund which assures prompt payment of the full amounts promised.

On the foregoing basis the following payments during the first eighteen months of existence of the fund, to December 31, 1890, have been made:

Benefits to members when disabled by accident or sickness.....	\$139,269 40
Benefits to beneficiaries of deceased members.....	117,250 00
<hr/>	
Total benefits paid from the fund	\$257,519 40
Expenses of organization and maintenance paid by the railroad companies.....	66,053 62
<hr/>	
Total payments made.....	\$312,573 02

Seven thousand eight hundred disabled members with their families have, in this short period, received help in time of disablement by accident or sickness, and death benefits have been paid to the beneficiaries of 172 deceased members.

The organization is like other associations of railroad employes for mutual benefit and aid in times of trouble, which so often rise and flourish for a time, and after a few years dwindle and disband again. This has the advantage, however, over the others in that the organization of the railroad companies, and their guarantee of the fund, are freely extended to assure permanence and efficiency in the operations of the same.

This association must not be confounded with some that are compulsory in their nature. Employees are not required to join it as a condition of their employment. It is a matter for their own choice. The regulations which control the administration of the fund provide that "no employee will be required to become a member." Members of the relief fund may withdraw from the same on giving notice." "Any member may, on application, change to a class lower than that in which he is contributing, or to a higher class."

There are five classes, based upon the amount of wages earned by the members respectively. For the first class, employees earning \$40.00 or less per month, the contribution is 75 cents per month, and the benefits are, when injured in the service, 50 cents a day; when sick, 40 cents a day (Sundays and holidays included in both cases); and in the event of death from any cause, the beneficiary named by the member receives \$250.00, and this without any deduction for previous disablement benefits paid. These figures all are twice as large for the second class, three times for the third, and so on for the five classes. Death benefits range from \$250 to \$2,500, by a provision which allows of increasing the same at the option of the member, to double the amount belonging to each class respectively.

The membership December 31, 1890, stood at 11,771; at present it is about 12,300. Many of these can testify to valuable help already received from this source, but who will, without action on their own part looking to that end, be in one moment of time deprived of this reliance should House Bill 22 become a law.

Remonstrances have been signed against the passage of the bill by as many of the members in Indiana as could be reached in the short time available for the work, and have been laid before the Legislature. More will follow.

The undersigned members of the Relief Fund of the Pennsylvania lines, and several of them members of the Advisory Committee, elected by their fellow members to represent them thereon, in the oversight and direction of the administration of the fund, most respectfully but firmly remonstrate, both for ourselves and our fellow-members, against the enactment of any

law which will deprive us and our constituency of our right to continue in the benefits of the Relief Fund with which we are connected. If there are those who do not desire these benefits, they are at liberty to do without them. We most respectfully insist upon equal liberty to avail ourselves of them at our discretion.

MICHAEL H. GREENEN,
N. C. BENNETT,
J. W. FINFROCK,
T. W. BRIDGE,
J. H. RAILSBACK,
SAMUEL T. JOHNSON,
W. McK. ROBERTSON,
W. W. WOLF,

Representing contributing employe members of the Pennsylvania Lines Relief Department.

The above was placed on file.

Senator Chandler moved that the Senate go into the committee of the whole for the further consideration of Senate Bill No. 258.

The ayes and noes being demanded by Senators Burke and Shockney, the roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Foley, Francis, French, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 32.

Those voting in the negative were :

Senators Boyd, Caster, Clemans, Gilman, Grose, Hays, Hobson, Loveland, Mount, and Shockney. Total, 10.

So the motion prevailed and the Senate went into the committee of the whole, with Senator Magee as chairman.

At 11 o'clock Senator Akin moved that the committee rise and ask leave to sit again.

The motion prevailed.

President Chase called the Senate to order.

Senator Foley presented the following communication :

THE INDIANAPOLIS BOARD OF TRADE. }
INDIANAPOLIS, February 25, 1891. }

Hon. Ira J. Chase, Lieutenant-Governor, State of Indiana :

The Indianapolis Board of Trade presents its compliments to the State Officers and Members of the General Assembly and their wives, and requests their presence at a reception to be given them at the Board of Trade rooms, on Saturday evening next, February 28, from 8 to 12 o'clock.

Very respectfully,

GEORGE T. TANNER,
President.

JACOB W. SMITH,
Secretary.

On motion of Senator Byrd the invitation was accepted.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, February 25, 1891. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he returns Enrolled Senate Bill No. 68 without his signature, the same being, "an act concerning the use of natural gas in flambeau lights," and the same has become a law by limitation without his signature.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

The Senate then again went into the committee of the whole with Senator Magee in the chair.

The committee of the whole rose at 2 o'clock P. M.

The Lieutenant-Governor being absent, Senator McHugh moved that the Senate proceed to the election of a President *pro tem*.

Senator Shockney moved to lay the motion of Senator McHugh on the table.

The ayes and noes being demanded.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Carver, Clemans, Gilman, Hanley, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 11.

Those voting in the negative were :

Senators Akin, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Gross, Hayden, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thomson of Pulaski, and Wiggs. Total, 32.

So the motion to lay on the table was lost.

The question recurring on Senator McHugh's motion, the same prevailed.

Senator McHugh placed in nomination for President *pro tem.* Senator F. M. Griffith, of Switzerland County.

Senator Shockney nominated Senator O. Z. Hubbell, of Elkhart County.

Senator Hubbell declined, and nominated Senator Boyd, of Hamilton County, who also declined.

Senator McHugh then withdrew the name of Senator Griffith, and offered the following resolution and moved its adoption :

Resolved, That Francis M. Griffith be and is hereby appointed President *pro tem.* of the Senate.

Senator Ewing demanded the previous question.

The demand was seconded by the Senate.

The question now being, Shall the main question be now put?

The same was agreed to.

Senator Shockney moved to lay the demand for the previous question upon the table.

The motion was declared out of order.

Senators Hubbell and Shockney appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate?

The ayes and noes were demanded by Senators Hubbell and Shockney.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Grimes, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 81.

Those voting in the negative were:

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Loveland. Total, 11.

So the decision of the Chair was sustained.

The question recurring on the adoption of the resolution offered by Senator McHugh.

The resolution was adopted.

Senators McHugh and Loveland were appointed to escort Senator Griffith to the chair.

Senator Magee, chairman of the committee of the whole, presented the following report:

MR. PRESIDENT:

I am directed by the committee of the whole Senate to inform the Senate that the committee have had under consideration Senate Bill No. 258, and recommend the following amendments:

That the printed bill be amended as follows:

Amend said bill by adding in line 22, page 4, after the word "resides," the words "but shall not be assessed or taxed for city or town purposes unless the wards reside in said cities or towns."

Amend section 32 by adding after the word "collected," in line 11 the word "immediately."

Amend section 35 by striking out in line 12 the words "of Equalization," and insert in lieu thereof the words "or Tax Commissioner."

Amend section 49, in line 21, page 14, by striking out the word "he" and insert in lieu thereof the words "the person to be assessed."

Amend section 50 by inserting in line 9 after the word "attorney" the words "or banker."

Also amend section 50 by inserting in line 26 after the word "property" the following words: "Or money or property of any other person."

Amend section 51 by striking out lines 4, 5 and 6.

Also amend section 51, in clause 6, by striking out the words "over and above exemption."

Amend section 49 by striking out the words "real and personal" in line 5, and insert before the word "property" the word "personal;" in line 8 strike out the words "real and."

Strike out section 29, on page 8, and the following sections be numbered accordingly.

Amend section 54, by striking out from line 17, page 17, to line 25, page 18, inclusive.

Also amend section 54 by striking out the words "except amount exempted by this act." Item 18 on page 20 of printed bill.

Also amend Section 54 by striking out the word "fair" in line 179, and insert in lieu thereof the word "complete."

Amend Section 48 by adding the following to said section: *Provided*, That nothing in this section shall be so construed as to repeal or modify any of the provisions of an act to provide for the taxation of dogs, etc., which became a law by lapse of

time March 7, 1883, and the amendment to Section 8 of said act approved April 8, 1885, but both of said acts shall remain in full force and effect.

Amend Section 61 by striking out the words "bill payable" and insert in lieu thereof the word "deposits;" also by striking out from line 80 the words: "Moneys on deposit shall be taxed on depositors."

Amend Section 54 by striking out the dash between the word property and the word "bonds" in line 197, on page 24, and insert in lieu thereof a comma.

Amend section 61 by striking out the word "value" in line 15 and insert in lieu thereof the word "amount."

In line 17 after the word "mortgage" insert the words: "Also the value of such bills receivable, notes and other credits."

In line 18 strike out the word "value" and insert "amount," and in same clause, line 21, after the word "each" insert the words: "Also the value of such bonds, stock and shares."

Also amend section 61 by striking out, in line 2, the word "in" and insert in lieu thereof the word "an."

Amend section 77 by substituting the word "sections" for the word "section," in line 8.

Amend section 79 by striking out the word "they" in line 3, and insert in lieu thereof the words: "Any person, company or corporation so owning, managing and operating, or constructing, a railroad."

Amend section 91 by striking out the words, "Notes or other credits listed for taxation," in line 8; also, amend by striking out the words, "and other securities so listed for taxation," in line 13, and insert in lieu thereof the word "security."

Amend section 95 by striking out the word "one," and insert in lieu thereof the word "out."

Amend section 105 by substituting in line 2 the word "or" for the word "of."

Amend section 104 by adding the following after the word "estate" in line 14: "Subject to all the penalties hereinafter prescribed in section 245 of this act."

Amend Section 109 by striking out the word "annual," in line 7; also, by striking out the word "annual," in line 8 thereof.

Amend section 116 by striking out the words, "their valuation," at the end of line 17.

Amend section 119 by inserting after the words, "Treasurer of State," the words, "Secretary of State, Attorney-General," and instead of "three" the word "five."

Amend section 119 by striking out the words, "by and with the advice and consent of the Senate," in line 2, and by inserting after the word "Governor," in line 1, the words, "Secretary of State and Auditor of State."

Amend section 116 by striking out the word "he," in lines 37 and 40, and insert in lieu thereof the words, "The Board;" also, amend by striking out the word "his," in line 41, and insert in lieu thereof the word "its;" also, in line 43, strike out the word "his" and insert the word "its;" in line 45 strike out the word "him" and insert "it."

Amend said bill by striking out section 56.

Amend section 124 by inserting in line 1 after "Treasurer" the words "Secretary, Attorney-General."

Amend section 51 by striking out all after the word "person" in line 14.

Amend section 54 by striking out in line 40 the words "as follows" and substituting therefor the words "to-wit."

Also, by striking out all of lines 41 to 55 of said section 54.

Amend section 134 by striking out "three" and insert "four."

Amend section 142 by striking out both "provisos" of said section.

Amend section 1 by striking out the words after "that" in line 1 down to and including the words "taxes as" in line 4, and insert in lieu thereof the words "all taxes for the support of the Government of the State."

Amend section 261 by striking out the words "and also" in line 3, and insert the words "but excepting."

Amend section 151 by striking out the word "portion" in line 3 and insert the word "partition" instead thereof.

Amend section 152 by striking out the words "and in three other public places in the county" in lines 2 and 8.

Amend section 155 by adding the following to said section: "And the Treasurer shall, if he have reason to believe that such delinquent have money, effects or other property in his possession, or on deposit that can be reached by any remedy known to the law, make known such facts to the Prosecuting Attorney, who shall cause such proceedings to be brought as will secure the payment of such delinquency and for his services, in so doing shall receive ten per cent. of such money so collected and a docket fee of ten dollars to be taxed as cost in such action and paid out of moneys so collected."

Amend section 158 by substituting "Roe" for "Swiveler" and "Jennings" for "Thickstone," and "Clark" for "Bellis" wherever the same may appear.

Amend section 224 by inserting in line 10 after the word "cause" the following words: "the court shall cause the facts to appear of record."

Amend section 225 by substituting the words "at law" for the words "by law," in line 14.

Amend section 225 by inserting after the word "force," "and may be enforced under the provisions of this act."

Amend sections 256 by striking out, in lines 8 and 9 the words: "in any city in which," and in line 9, after the words "City Assessor" strike out the word "be," and insert in lieu thereof the words: "and the City Board of Equalization are hereby," and after the word "abolished" insert the word "and."

Amend section 260 by inserting at the end of said section the following: "Provided, That for the assessment and collection of taxes for the year 1891 the forms heretofore in use may be continued, as far as practicable, subject, however, to all the provisions of this act."

Amend section 121 by striking out the words, "confirmed by the Senate hereunder."

Amend section 129 by inserting after the word "Governor," in line 4, and "Governor," in line 2, the following: "Secretary of State and Auditor of State."

Amend section 261 by adding the following to said section: "*Provided*, That all prosecutions now pending for violation of the existing law, and all violations of the same which shall occur prior to the taking effect of this act, shall be prosecuted under the provisions of the existing law, precisely the same in all respects as if this act had not been passed."

Amend section 124 by striking out the word "twenty-five," and insert in lieu thereof the word "fifteen," in line 2.

And we recommend that when the bill is so amended, that it do pass.

RUFUS MAGEE,
Chairman.

The report was concurred in.

The unfinished business of yesterday being the consideration of Senate Bill No. 842 on second reading, the same was proceeded with.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 126, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 296, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 484, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 188, and the same is hereby transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 640, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 243, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 121, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 440, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that on the 25th of February, 1891, the Governor returned House Bill No. 260 to the House without his signature thereto, together with his message setting forth therein his objections thereto.

Thereupon it was ordered that said message and objections be spread at large upon the pages of the Journal of the House.

And the House immediately proceeded to reconsider said bill.

And the Speaker of the House announced the question before the House to be, Shall the bill pass notwithstanding the objections of the Governor thereto?

And the roll of the House being called, the vote resulted as follows:

Ayes, sixty-seven (67); nays, twenty-seven (27).

Thereupon the Speaker of the House announced the result of said vote, and declared the result thereof to be that the bill had passed notwithstanding the objections of the Governor thereto, all of which appears in full upon the pages of the Journal of the House.

And said bill and the Governor's message in relation thereto are herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following is the message from the Governor accompanying the message from the House:

INDIANAPOLIS, IND., February 25, 1891.

Hon. Mason J. Niblack,

Speaker of the House of Representatives:

SIR—I herewith return House Enrolled Act No. 260, being “An act creating the office of State Supervisor of Oil Inspection, prescribing the duties thereof and providing for the appointment of such Supervisor, abolishing the office of Chief of the Division of Mineral Oils and State Inspector of Oils, repealing all laws inconsistent therewith, and declaring an emergency,” without my approval. This is another blow at the Executive department. Personally, I should hail it as a relief, but I would be derelict in my duty as Governor to permit the Legislative department to infringe upon or usurp the functions of either the Executive or Judicial department.

The quibble of changing the name of “Chief of the Division of Minerals, Oils and State Inspector of Oils” to that of “State Supervisor of Oil Inspection” will deceive no one, as the only result will be to place the appointment of the incumbent of a small State office into the hands of the dominant party now controlling the Legislature of the State.

This bill gives the Geologist, a State officer, the right to appoint another State officer, and relieves the Governor of that responsibility. The whole movement is translucent.

There is not the most remote connection of Geologist and the “State Supervisor of Oil Inspection,” but the office is wanted, and a pretext must be found to absorb it.

The bill is clearly unconstitutional, for reasons heretofore urged by the Executive and repeated by several decisions of the Supreme Court. I can not give it my approval.

ALVIN P. Hovey,
Governor.

Senator Byrd offered the following motion:

MR. PRESIDENT:

I move that the order of business be now suspended.

The ayes and noes were demanded.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Koppelke, Lynn, McHugh, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 31.

Those voting in the negative were :

Senators Boyd, Carver, Castle, Clemans, Ewing, Gilman, Grose, Hanley, Harlan, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 14.

So the order of business was suspended.

Senator Byrd offered the following motion :

MR. PRESIDENT :

I move that House Bill No. 260, together with the objections of the Governor thereto, and the action of the House of Representatives thereon, be now spread in full upon the Journal of the Senate, reconsidered and passed, notwithstanding the objections of the Governor thereto.

On this motion Senator Byrd demanded the previous question.

The question being, Shall the Senate second the demand for the previous question ?

The demand was seconded.

The question then being, Shall the main question be now put ?

The ayes and noes being demanded by Senators Byrd and Hubbell.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland,

Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 32.

Those voting in the negative were :

Senators Boyd, Burke, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 15.

The main question was ordered.

The question recurring on the adoption of Senator Byrd's motion.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 31.

Those voting in the negative were :

Senators Boyd, Carver, Castor, Clemans, Gilman, Grose, Hanley, Harlan, Hobson, Hubbell, Loveland, Magee, Mount, Shocknsy and Yaryan. Total, 15.

The motion was adopted.

The question being, Shall the bill pass notwithstanding the objection of the Governor?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski and Wiggs. Total, 32.

Those voting in the negative were:

Senators Carver, Caster, Clemans, Ewing, Gilman, Grose, Hanley, Harlan, Hobson, Hubbell, Loveland, Magee, Mount, Shockney and Yaryan. Total, 15.

So the bill passed notwithstanding the objection of the Governor.

Senator Boyd gave notice that on next Monday at 10 o'clock he would move to reconsider the vote taken on the passage of House Bill No. 260, over the Governor's veto.

Senator Byrd moved to reconsider the vote passing House Bill No. 260 over the Governor's veto.

Senator Shockney moved to amend by deferring the reconsideration of the vote until next Monday morning at 10 o'clock.

Senator Burke moved to lay the motion on the table, which prevailed.

The discussion on Senate Bill No. 342, was then resumed.

Senator Hubbell moved that the further consideration of this bill be made the special order for Monday.

Which motion did not prevail.

On motion of Senator Howard the amendment of Senator Kennedy offered yesterday was rejected.

The question being on the adoption of the amendment of Senator Thompson of Marion.

The amendment did not prevail.

The question recurring upon Senator Hayden's amendment, the ayes and noes were demanded by Senators Fulk and Chandler, the roll was called which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Carver, Caster, Clemans, Ewing, Francis, Gilman, Grimes, Hanley, Harlan, Hayden, Jackson, Loveland, McHugh, Magee, Mount, Shockney, Thompson of Pulaski, and Yaryan. Total, 19.

Those voting in the negative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Foley, French, Fulk, Griffith, Grose, Hobson, Holcomb, Howard, Jones, Kennedy, Kerth, Kopelke, Lynn, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompron of Huntington, and Wiggs. Total, 26.

So the amendment was lost.

Senator Ewing offered the following amendment :

MR. PRESIDENT :

I move to amend the amendment to Senate Bill No. 342, offered by the Senator from Vigo, by inserting after the words "one hundred" the words "twenty-five."

On motion of Senator Akin the amendment was rejected.

The question recurring on the adoption of the amendment of Senator Grimes.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Caster, Chandler, Ellison, Foley, Francis, Fulk, Griffith, Grimes, Grose, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 29.

Those voting in the negative were :

Senators Boyd, Burke, Clemans, Ewing, French, Gilman, Hanley, Harlan, Hayden, Hobson, Hubbell, Lynn, McHugh, Shockney, Thompson of Marion, and Wiggs. Total, 16.

So the amendment was adopted.

Senator Ewing moved to amend Senate Bill No. 342 by adding in line 9 of section 2 of the printed bill after the word "parties" the words "casting the highest number of votes at the last general election."

Senator Burke moved to lay the amendment upon the table.

The Chair ruled the motion of Senator Burke out of order.

Senator Magee moves to reject Senator Burke's motion.

The Chair still holding Senator Burke's motion out of order.

Senator Burke appealed from the decision of the Chair.

Pending the appeal, Senator Ewing by leave of the Senate withdrew his amendment.

Senator Ewing then offered the following amendment:

MR. PRESIDENT:

I move to amend section 2 of Senate Bill No. 342 by striking out the words "in equal members from the two" after the word "selected," and inserting therein the words "not more than thirteen from either of the political parties."

The amendment was adopted.

The bill as amended was ordered engrossed.

Senator Ewing moved that the constitutional rule be suspended, the bill considered engrossed with amendments, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Caster, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grose, Hanley, Hayden, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Magee, Morgan, Moore, Mount, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 40.

Senator Burke voting in the negative.

So the constitutional rule was suspended, the bill considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Carver, Caster, Clemans, Ellison, Ewing, Francis, Fulk, Grimes, Grose, Hanley, Harlan, Hayden, Holcomb, Howard, Hubbell, Jackson, Jones, Kennedy, Kerth,

Kopelke, Loveland, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 84.

Those voting in the negative were:

Senators Burke, Chandler, French, Gilman, Hobson, and Wiggs. Total, 6.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Act No. 296, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Enrolled Senate Act No. 296.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 28, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 487, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senators Byrd, Chandler, Hobson and Carver were granted leave of absence for the remainder of the day.

Engrossed House Bill No. 487, entitled :

A bill for an act concerning taxation. repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Finance.

Engrossed House Bill No. 484, entitled :

A bill for an act to authorize Boards of Commissioners of counties where the construction of court houses has been commenced and entered upon, and where the proceeds of the sale of bonds of one per centum on the assessed valuation of the taxable property of such counties is insufficient to complete such buildings, to issue and sell county bonds to an amount not exceeding one per centum on the assessed valuation of the taxable property of such counties in addition to any bonds which may have heretofore been issued and sold, and declaring an emergency.

Read first time.

Senator Ewing moved to refer it to Committee on Judiciary.

Senator Griffith moved to amend by referring it to Committee on County and Township Business.

Which motion prevailed.

The original motion as amended was then adopted, and Engrossed House Bill No. 484 was then referred to Committee on County and Township Business.

Engrossed House Bill No. 121, entitled :

A bill for an act requiring railroad companies doing business in this State to erect and maintain suitable depots at all railroad stations within this State, fixing penalties for violations, repealing all laws in conflict herewith and declaring an emergency.

Read first time and referred to Committee on Railroads.

Engrossed House Bill No. 640, entitled:

A Bill for an act to authorize the Common Council of the city of Tell City, Perry County, to transfer and convey certain public grounds within the corporate limits of said city to the Board of County Commissioners for the purpose of erecting public buildings thereon, the manner in which such transfer shall be made and declaring an emergency.

Read first time and referred to Committee on Corporations.

Senator Hobson moved to recall Engrossed House Bill No. 640 from Committee on Corporations and refer to Committee on Cities and Towns.

Which motion prevailed.

Engrossed House Bill No. 620, entitled:

An act providing for the relocation of county seats.

Read first time and referred to committee on County and Township Business.

Engrossed House Bill No. 440, entitled:

An act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith.

Read first time and referred to Committee on Legislative Apportionment.

On motion of Senator Smith the Senate adjourned.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

THURSDAY MORNING.

FEBRUARY 26, 1891.

The Senate convened at 9 o'clock A. M.

Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. Daniel Ryan, of the M. E. Church, Irvington, Ind.

After the reading of a portion of the Journal, on motion of Senator Chandler, the further reading of the same was dispensed with.

Senator Jackson, chairman of the Committee on County and Township Business, made the following report on Engrossed House Bill No. 484.

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Engrossed House Bill No. 484, introduced by Representative Harrell, beg leave to report the same back with the recommendation that the said bill do pass.

A. M. JACKSON,
Chairman.

The report of the Committee was concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 274, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 186, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 357, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 125, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 888, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 192, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following is the engrossed House amendments to Senate Bill No. 192:

"That the title of said bill be amended by inserting after the word "power," in line 3, the words "thereon authorizing them," and by striking out the word "thereon," in line 4.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 118, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 553 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 110, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the house to inform the Senate that the House has passed House Bill No. 466, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 554, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 391, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 66, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 50, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following are Engrossed House amendments to Senate Bill No. 50 :

Amend said bill by striking out of the title of said bill the words, "The appointment of Park Commissioners and ;" also, the words, "Maintaining operating."

Also, by striking out the whole of section 6 thereof.

Also, by striking out all that part of section 7 after the word "purchasing," and adding in lieu thereof the words, "Said park or parks."

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 146, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senator Magee, chairman of Committee on Finance, made the following report on Engrossed House Bill No. 487:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred Engrossed House Bill No. 487, have had the same under consideration, and beg leave to report the following amendments:

In section 1, line 3, after the word "that," strike out the remainder of said line; also, lines 4, 5, 6, 7, and insert in lieu of such words so stricken out the following: "All taxes for the support of the government of this State."

In section 11, from page 17 of the bill, line 6, after the word "resides," insert the following: "But shall not be assessed or taxed for city or town purposes unless the Boards reside in such city or town."

Also, strike out section 29, on page 33, also in section 32, page marked 5, after the word "collected" add the word "immediately."

Also, in section 35, on page marked 8, in lines 10 and 11, strike out the words "of equalization," and insert in lieu thereof the words "or tax commissioners."

Also, in section 48, on page marked 22, last line after the word "collected," insert the following: "*Provided*, That nothing in this section shall be so construed as to repeal or modify any of the provisions of an act to provide for the taxation of dogs, etc., in force March 7, 1883, and an act to amend section 8 of said act of March 7, 1883, approved April 8, 1885, both of which acts shall remain in full force and effect."

Also, in section 49, on page marked 26, line 3, strike out the word "he," and insert in lieu thereof the words "the person of the assessed."

Also, in section 50, on page marked 27, line 9, after the word "attorney" insert the words "or banker."

Also, in same section, on page marked 30, line 5, after the word "property" insert the words "or money or property of any other person."

Also, in section 51, on page marked 31, strike out all of lines 3, 4, 5, 6 and 7.

Also, in same section 51, on pages marked 32 and 33, strike out all after the word "person," in line 7, page 32, down to and including "assessed in full," on page marked 33.

Also, in same section 51, clause 6, on page marked 34, strike out line 11.

Also, in section 49, on page marked 23, lines 10 and 11, strike out the words "real and personal," and before the word "property," in line 10, insert the word "personal."

Also, in same section 49, on page marked 24, line 4, strike out the words "real and."

Also, in section 54, on pages marked 3 and 4, strike out, beginning on line 9 with the words "real estate," on page 3 down to and including "8" in line 5 on page marked 4.

Also, in same section 54, on page marked 5, 6 and 7, strike out all from and including line 11, on page marked 5, down to and including line 2 on page marked 7.

Also, in same section 54, on page marked 9, strike out line 12.

Also, in the same section 54, on page marked 18, line 5, strike out the word "fair" and insert in lieu thereof the word "complete."

Also, in the same section 54, on page marked 20, in line 9, after the word "property" strike out the hyphen and insert in lieu thereof a comma.

Also, strike out of section 60, on page marked 8, line 1, strike out the word "in" and insert in lieu thereof the word "an."

Also, in said section 60, clause fourth, after the word "mortgage," last word on page marked 9, insert the following words: "also the value of such bills receivable, notes and other credits."

Also, in clause fifth of said section 60, on page marked 10, line 1, strike out the word "value," and insert in lieu thereof the word "amount," and at the end of said clause fifth add the words, "also the value of such bonds, stocks and shares."

Also, in clause 7 of said section 60, on pages marked 10 and 11, strike out the words in the last line of page 10 and first line of page 11, "bills payable," and insert in lieu thereof the

word "deposits," and at the end of said clause 7 strike out the words, "money on deposit shall be listed to the depositors."

Also, in section 78, on page marked 36-48, line 13, after words, "County Auditor," strike out the word "they," and insert in lieu thereof the following words: "any person, company or corporation so owning, managing, operating or constructing a railroad."

Also, in section 90, on page marked 41, line 4 and 5, strike out the words, "notes or other credits," on page marked 41 on the top and 42 on the left margin, and lines 1 and 2, strike out the words, "and other securities," and insert in lieu thereof the word "security."

Also, in section 104, on page marked 48-105, line 1, strike out first word, "of," and insert in lieu thereof the word "br."

Also, in section 108, on page marked 48-104, line 7, after the word "estate," insert the words, "subject to all the penalties hereinafter prescribed in section 253 of this act."

Also, in section 108, on page marked 41, lines 1 and 9, strike out the word "annual."

Also, in section 115, on page marked 25, line 9, strike out the words, "their valuation."

Also, in section 118, on page marked 10, line 12, after the word "Governor," insert "Secretary of State and Auditor of State," and strike out the words "by and with the advice and consent of the Senate."

Also, in same section 118, on page marked 11, line 5, after the word "State," insert "Attorney-General," and strike out the word "four" and insert in lieu thereof the word "five."

Also, in section 123, on page marked 21, line 10, after the word "Treasurer," insert the words "Attorney-General."

Also, in section 54, on page marked 5, line 10, strike out "as follows," and insert the words quoted, to-wit."

Also, in section 133, on page marked 34, line 1, strike out the word "three," and insert in lieu thereof the word "four."

Also, in section 150, on page marked 24-70, line 2, strike out the word "portion," and insert in lieu thereof the word "partition."

Also, in section 151, on page marked 25-70, lines 8 and 9, strike out the words "and in three other public places of the county."

Also, in section 151, on page marked 81-71, after the last line, add the following: "And the Treasurer shall, if he have reason to believe that such delinquent have money, effects, or other property in his possession, or on deposit, that can be reached by any remedy known to the law, make known such facts to the Prosecuting Attorney, who shall cause such proceedings to be brought as will secure the payment of such delinquency, and for his services in so doing shall receive ten per cent. of such money so collected, and a docket fee of ten dollars, to be taxed as cost in such action, and paid out of money so collected."

Also, in section 157, substitute "Roe" for "Swiveller," and "Jennings" for "Thickstone" and "Clark" for "Bellis" wherever the same may appear.

Also, in section 228, on page marked 19, line 8, after the word "cause" insert the following: "The Court shall cause the facts to appear of record."

Also, in section 224, on page marked 28, line 6, strike out "by" before the word "law," and insert instead the word "at."

Also, in section 253, on page marked —, line 2, after the word "force," insert the words "and may be enforced under the provisions of this act."

Also, in section 254, on — page, line 13, after the words "terms of" strike out the words "the acts," and insert in lieu thereof the words "this act."

Also, in said section 254, page —, lines 3, 4, 5, strike out the words "the listing and valuation of property and."

Also, in said section 254, in second proviso, after the word "that," strike out the words "in any city in which."

Also, in said section 254 and the same proviso, after the word "assessor" strike out the word "be" and insert in lieu thereof the words "and the City Board of Equalization are hereby," and after the word "abolished" insert the word "and."

Also, in section 258, at the end of said section add the words "Provided that for the assessment and collection of taxes for the year 1891, the forms heretofore in use may be continued as far as practicable, subject however to all provisions of this act."

Also, in section 120, on page marked 13, strike out line 4.

Also, in section 128, on pages marked 26 and 27, after the word "Governor" insert the word "Secretary of State and Auditor of State."

Also, in section 128, on page marked 21, in line 12, strike out "twenty" and insert "fifteen," and after the word "Treasurer" insert the words "Attorney-General."

Also, in section 259, last line of section, strike out "is" and insert in lieu thereof the word "are."

Also, following section 228, on page marked 33, in line 5, after the word "section," insert number of said section following.

Also, after section 29, which has been stricken out, renumber all following sections down to and including section 228, and renumber sections following 228.

Also, wherever in bill reference is made to section "54," correct such reference by substituting the figures "53."

Also, in section 114 of bill on page marked 22, line 2, strike out the figures "132" and "172" and insert respectively "142" and "182."

Your committee further recommends that when the bill is so amended that the bill do pass.

The report of the committee was concurred in, the bill read a second time, the Senate amendments ordered engrossed.

On motion of Senator Hobson, Engrossed House Bill No. 640 was referred to the Committee on Corporations instead of the Committee on County and Township Business.

Senator Burke, chairman of Committee on Judiciary, presented the following report on Engrossed House Bill No. 133:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 133 beg leave to report the same back with the recommendation that it be indefinitely postponed, for

the reason that a Senate Bill, similar to the one just read, is now pending in the House and will be passed.

The report was concurred in.

Senator Burke, chairman of the same committee also offered the following majority report on Engrossed House Bill No. 431:

MR. PRESIDENT:

The undersigned, constituting a majority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 431, introduced by Representative Hayden, beg leave to report the same back with the recommendation that the bill be amended by striking out section 4, of said bill; that the subsequent sections be renumbered to conform to this amendment; and that when so amended the bill do pass.

F. M. GRIFFITH,
O. Z. HUBBELL,
S. A. HAYS,
JOHN F. McHUGH,
CORTEZ EWING,
J. KOPELKE.

Also, the following minority report was presented on Engrossed House Bill No. 431:

MR. PRESIDENT:

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 431, introduced by Representative Heyden, beg leave to submit a report, recommending that the bill pass without amendment.

FRANK B. BURKE.

Senator Burke moved to concur in the minority report.

Senator Kopelke moved to substitute the majority for the minority report, which motion prevailed.

Engrossed House Bill No. 431, together with the report of the committee thereon, was read a second time, the amendments ordered engrossed and passed to third reading.

Senator Burke, chairman of the same committee, also offered the following report on Engrossed House Bill No. 495:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 495, introduced by Representative Claypool, beg leave to report the same back with the recommendation that the bill be amended by striking out of article 15 of said bill the words "and estates" and inserting after the word "persons," in said article, the word "and" and when so amended the bill do pass.

The report was concurred in and the bill read a second time the amendments ordered engrossed, and passed to third reading.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 354:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 354, introduced by Senator Yaryan, beg leave to report the same back with the recommendation that the bill do pass.

The report was concurred in, and the bill read a second time and ordered engrossed.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 353:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 353, introduced by Senator Thompson of Pulaski, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 356:

MR. PRESIDENT.

Your Committee on Judiciary, to whom was referred Senate Bill No. 356, introduced by Senator G. H. Thompson, beg leave to report the bill back with the recommendation that it pass.

The report was concurred in, and the bill read a second time and ordered engrossed.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 300 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 300, introduced by Senator Yaryan, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 337 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 337, introduced by Senator Ewing, beg leave to report the same back with the recommendation that the bill pass.

The report was concurred in, and the bill read a second time and ordered engrossed.

Senator Burke, chairman of the same committee, also offered the following report on Engrossed House Bill No. 336, introduced by Representative Tippen, beg leave to report the same back with the recommendation that the bill pass.

The report was concurred in and the bill read a second time and passed to third reading.

Senator Burke, chairman of the same committee, also offered the following report on Senate Bill No. 218 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 218, introduced by Senator Gilman, beg leave to report the same back with the recommendation that the bill pass.

The report was concurred in and the bill read a second time and ordered engrossed.

Senator Burke, chairman of the same committee, also offered the following report on Engrossed House Bill No. 258 :

MR. PRESIDENT :

The Committee on Judiciary, to whom was referred Engrossed House Bill No. 258, introduced by Representative Hench, beg leave to report the same back with the recommendation that the bill pass.

The report was concurred in, the bill read a second time and passed to third reading.

Senator Burke, chairman of the same committee, also offered the following majority report on Engrossed House Bill No. 5 :

MR. PRESIDENT :

A majority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 5, introduced by Representative Hench, beg leave to report on said bill recommending that it be indefinitely postponed.

The report was concurred in.

Senator Burke also presented the following report on Engrossed House Bill No. 454.

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 454, introduced by Representative Inman, beg leave to report the same back with the recommendation that the bill be amended by striking out all after the enacting clause, and inserting in lieu thereof the following :

That every corporation, except municipal, operating in this State, shall be liable in damages for personal injuries suffered by any employe while in its service, the employe so injured being in the exercise of due care and diligence, in the following cases :

First. When such injury is suffered by reason of a defect in the condition of ways, works, plant, tools or machinery connected with or in use in the business of such corporation, when such defect was the result of negligence on the part of the corporation, or of some person entrusted by it with the duty of superintending its keeping of such ways, works, plant, tools or machinery in proper condition.

Second. Where such injury resulted from the negligence of any person in the service of such corporation, to whose orders or directions the workman, at the time of the injury, was bound to conform, and did conform.

Third. Where such injury resulted from the act or omission of any person, done or made, in obedience to any rule, regulation or by-law of such corporation, or in obedience to the particular instructions given by any person delegated with the authority of the corporation in that behalf.

Fourth. Where such injury is suffered by an employe when obeying or conforming to the orders given at the time by some superior having at the time authority to direct, and is caused by the negligence of any person in the service of such corporation who has charge of any signal, telegraph office, switch yard, shop, round house, locomotive engine, or train upon a railway, or by the negligence of any person, employe or fellow servant engaged in the same common service in any of the several departments of the service of any such corporation: *Provided,* That neither an employe nor his legal representatives shall be entitled under this act to any right of compensation or remedy against the employer in any case where the injury results from obedience to an order which subjects the employe to extra hazards and palpable danger; nor where the employe injured had knowledge of or reasonable opportunity to learn of or notice the defect or negligence which caused the injury; nor where the defect in the ways, works, plant, tools or machinery was concealed and unknown to the employer; nor where the injury was caused by the incompetency of a co-employe, and such incompetency was known to the employe injured, or such injured employe in the exercise of reasonable care might have discovered such incompetency, unless the employe so injured knowing or having opportunity as aforesaid to know of such defects in the ways, works, plant, tools or machinery or such incompetency of a co-employe, or superior gave or caused to be given information thereof in writing to the employer or to some superior entrusted with the general superintendence of the ways, works, plant, tools, machinery and employes of the employer, and such employer failed or refused to repair or obviate the defects in such ways, works, tools, plant or machinery within a reasonable time, or failed or

refused within a reasonable time to investigate the alleged incompetency of a co-employee or superior, and to discharge him if found incompetent.

SEC. 2. That the damages recoverable under this act shall be commensurate with the injury sustained, unless death result from such injury, when in such case the action shall survive and be governed in all respects by the law now in force as to such actions: *Provided*, That where any such person recovers a judgment against any corporation, and such corporation takes an appeal to the Supreme Court of this State, and pending such appeal the injured person dies, and the judgment rendered in the court below be thereafter reversed, the right of action of such person shall survive to his legal representatives under the terms and conditions now provided by law for actions by the personal representatives of one killed by the wrongful act of another.

SEC. 3. In case any railroad corporation which owns or operates a line extending into or through the State of Indiana, and into or through another or other States, and a person in the employ of such corporation, a citizen of this State, shall be injured as provided in this act, in any other State where such railroad is owned or operated, and a suit for such injury shall be brought in any courts in this State, it shall not be competent for such corporation to plead or prove the decisions of the State where such person shall have been injured as a defense to the action brought in in this State.

SEC. 4. All contracts made by such corporations with their employes, or rules or regulations adopted by any such corporation releasing or relieving it from liability to any employe having a right of action under the provision of this act, are hereby declared null and void.

SEC. 5. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage, but its provisions shall not apply to any injuries sustained before it takes effect, nor shall it effect in any manner any suit or legal proceedings pending at the time it takes effect," and when so amended the bill do pass.

The report was concurred in, and the bill read a second time and ordered engrossed.

Senator Kerth, chairman of Committee on Cities and Towns, presented the following majority report on House Amendment to the title of Senate Bill No. 187:

MR. PRESIDENT:

A majority of your Committee on Towns and Cities, to whom was referred the House Amendment to the title of Senate Bill No. 187, introduced by Senator Foley, report that the committee has had the same under consideration and recommend that said amendment be concurred in.

KERTH,
Chairman.

The following minority report was also presented:

MR. PRESIDENT:

A minority of your Committee on Cities and Towns, to whom was referred the House Amendment of the title of Senate Bill No. 187, introduced by Senator Foley, report the same back with the recommendation that the bill be indefinitely postponed.

LOVELAND,
HUBBELL.

Senator Foley moved to concur in the majority report.

Senator Howard moved to lay the motion on the table.

Senator McHugh moved to reject the motion to lay upon the table.

The ayes and noes were demanded by Senators Howard and McHugh.

The question being on the rejection of the motion of Senator Howard.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Foley, Francis, French, Griffith, Grimes, Hayden, Holcomb, Holland, Hudson, Jackson, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs.
Total, 28.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Clemans, Fulk, Gilman, Grose, Hauley, Hobson, Howard, Sonés, Kennedy, Moore, Mount, Shockney, and Yaryan. Total, 16.

So the motion to reject was adopted.

The question recurring upon the adoption of the majority report.

The majority report was concurred in.

The following majority report was presented on Engrossed House Bill No. 539 :

MR. PRESIDENT :

The undersigned members of your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 539, introduced by Representative Curtis, recommend that said bill be indefinitely postponed.

LOVELAND,
GRIMES,
FRANK B. BURKE,
O. Z. HUBBELL.

The following minority report was also presented :

MR. PRESIDENT :

The undersigned members of your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 539, introduced by Representative Curtis, beg leave to report the same back with the recommendation that said bill be amended by inserting after the words, "whenever any highway, street or alley, or any portion thereof, in any incorporated city," in section two (2) of said bill, the following words: "Having a population of one hundred thousand (100,000) or more, according to the census of the United States for 1890."

Also, by striking out the words, "the Board of Trustees of said town;" "or towns;" "or Board of Trustees;" "or Board of Trustees of said town," whenever they occur in said section of said bill.

Also, that the title of said bill be amended by adding after the words, "incorporated cities," the words, "having a population of one hundred thousand (100,000) or more, according

to the census of the United States for 1890," and by striking out the words, "and "towns," in said title.

And the undersigned members of your committee recommend that when said bill be so amended that it do pass.

KERTH,
HAYDEN,
MAGEE.

Senator Magee moved to adopt the minority report.

Senator Burke moved to substitute, that the bill, with minority and majority reports, be printed.

The ayes and noes were demanded by Senators Burke and Magee.

The question being on the adoption of the substitute offered by Senator Burke.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver Caster, Chandler, Clemaus, Francis, French, Fulk, Gilman, Griffith, Grimes, Hanley, Hobson, Holcomb, Hubbell, Jones, Kopelke, Loveland, McHugh, Morgan, Mount, Shockney, Sweeney, Thompson of Huntington, Wiggs and Yaryan. Total, 29.

Those voting in the negative were:

Senators Ellison, Ewing, Foley, Grose, Hayden, Holland, Howard, Hudson, Jackson, Kennedy, Kerth, Lynn, Magee, Moore, Shanks, Thompson of Marion. Total, 17.

So the substitute was adopted.

Senator Kerth, chairman of Committee on Cities and Towns, presented the following report on Engrossed House Bill No. 24:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 24, introduced by Representative Leyden, beg leave to report the same back with the recommendation that the bill do pass.

KERTH,
Chairman.

The report of the committee was concurred in, the bill read a second time, and passed to a third reading.

Senator Kerth also presented the following report on Engrossed House Bill No. 176:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 176, introduced by Representative Branstetter, beg leave to report the same back with the recommendation that the bill do pass.

KERTH,
Chairman.

The report was concurred in, the bill read a second time and passed to a third reading.

Senator Wiggs, chairman of the Committee on Federal Relations, presented the following report on House Bill No. 8, introduced by Representative Watson, beg leave to report the same back with the recommendation that the bill do pass.

WIGGS,
Chairman.

The report of the committee was concurred in, the bill read a second time and passed to a third reading.

Senator Wiggs, chairman of the Committee on Federal Relations, made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations, to whom was referred a petition signed by one George Arnold, a citizen and taxpayer of the State of Indiana, praying the General Assembly of Indiana to pass a resolution requesting our Senators and Representatives in Congress to urge the passage of the bill refunding to this State what is known as the direct tax, said to amount to eight hundred thousand dollars, have had the said petition under consideration, and have the honor to recommend same to the favorable consideration of the Senate.

WIGGS,
Chairman.

Senator Wiggs, chairman of the Committee on Rights and Priviles, made the following report on Senate Bill No. 267 :

MR. PRESIDENT :

The Committee on Rights and Privileges, to whom was referred Senate Bill No. 267, introduced by Senator Grose, have had the same under consideration, and I am directed to report the same back for the action of the Senate thereon.

Wiggs,
Chairman.

On motion of Senator McHugh, the regular order was suspended and Senate Bill No. 189 was read a first time.

Senator Boyd moved that the further consideration of Senate Bill No. 189 be postponed until this afternoon at 2 o'clock.

Senator McHugh moved to reject the motion to postpone.

The motion to reject prevailed.

On motion of Senator Boyd, the consideration of Senate Bill No. 189 was made the special order for this afternoon at 4 o'clock.

Senator Howard moved that the constitutional rule be suspended, and that Engrossed House Bill No. 487 be read a second time by tittle, the amendments considered engrossed, the bill read a third time by sections and put upon its passage.

The question being upon the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Caster, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hayden, Hobson, Holcomb, Holland, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan.
Total, 37.

Those voting in the negative were :

Senators Hanley, Hubbell, Loveland, Mount, Shockney.
Total, 5.

So the constitutional rule was suspended, and Engrossed House Bill No. 487 read a second time by title, the amendments considered engrossed, the bill read a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Kopelka, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 36.

Those voting in the negative were:

Senators Clemans, Gilman, Grose, Hanley, Harlan, Kennedy, Loveland, Mount and Shockney. Total, 9.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Shanks, chairman of Committee on Roads, made the following report on Engrossed House Bill No. 138:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Engrossed House Bill No. 138, introduced by Representative Carroll, have had said bill under consideration, and have the honor to report same back and recommend that it do pass without being printed.

SHANKS,
Chairman.

The report of the committee was concurred in.

Senator Chandler moved that the constitutional rule be suspended, that Engrossed House Bill No. 138 be read a second time by title, read a third time by sections, and put upon its passage.

The question being upon the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Those voting in the negative were:

Senators Ellison, Hanley, Holcomb, Holland, Morgan, Shockney. Total, 6.

So the constitutional rule was suspended, Engrossed House Bill No. 138 read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Carver, Caster, Chandler, Foley, Fulk, Grimes, Harlan, Hayden, Howard, Hubbell, Moore, Mount, Thompson of Pulaski, Wiggs and Yaryan. Total, 17.

Those voting in the negative were:

Senators Boyd, Clemans, Ellison, French, Gilman, Grose, Hanley, Holcomb, Holland, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington. Total, 24.

So the bill failed to pass.

Senator Shanks, chairman of Committee on Roads, made the following report on Senate Bill No. 336:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 336, introduced by Senator Shanks, have had the said bill under consideration, and beg leave to report same back with the recommendation that it be printed.

The report was concurred in.

Senator Shanks, chairman of Committee on Roads, also made the following report on Engrossed House Bill No. 339:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Engrossed House Bill No. 339, introduced by Representative Stone, have had said bill under consideration, and have the honor to report same back and recommend that it do pass without being printed.

The report was concurred in.

Senator Shanks, chairman of Committee on Roads, also made the following report on Senate Bill No. 365:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 365, introduced by Senator Shanks, have had said bill under consideration, and beg leave to report same back with the recommendation that it be printed.

Report of committee concurred in.

Senator Wiggs, chairman of Committee on Federal Relations, made the following report on Concurrent Resolution No. 13:

MR. PRESIDENT:

Your Committee on Federal Relations, to whom was referred Concurrent Resolution No. 13, introduced by Representative Trimble, report the same back with the recommendation that it be indefinitely postponed.

Report of committee concurred in.

Senator Wiggs, chairman of Committee on Federal Relations, also made the following report on Engrossed House Bill No. 69:

MR. PRESIDENT:

Your Committee on Federal Relations, to whom was referred Engrossed House Bill No. 69, introduced by Representative Beasley, beg leave to report the same back with the recommendation that the bill do pass.

Report of committee concurred in, the bill read a second time and passed to a third reading.

Senator McHugh made the following report on Engrossed House Bill No. 332 :

MR. PRESIDENT :

Your Committee on Natural Gas, to whom was referred House Bill No. 332, report the same back with the recommendation that the same do pass.

McHUGH,
Chairman.

The bill was read a second time and passed to a third reading.

Senator Griffith, chairman of the Committee on Rules, offered the following report :

MR. PRESIDENT :

Your Committee on Rules, to whom was referred the resolution offered by Senator Magee, limiting the time of debate, submit the following rule in addition to those now in force :

No Senator shall speak longer than five minutes on any motion, and shall not speak more than once on said motion except that the member in chage of a bill may occupy ten minutes to be divided in opening and closing.

The report was concurred in.

Senator Magee, chairman of Committee on Finance, presented the following report on Senate Bill No. 249 :

MR. PRESIDENT :

Your Committee on Finance, to whom was referred Senate Bill No. 249, recommend that it be laid upon the table, as the matters contained in said bill have been considered by the Senate.

MAGEE,
Chairman.

The report was concurred in.

Senator Magee also presented the following report on House Bill No. 164:

MR. PRESIDENT:

Your Finance Committee, to whom was referred House Bill No. 164, concur with the Committee on Claims, and recommend that it do pass.

MAGEE,
Chairman.

The report was concurred in and the bill was read a second time and passed to a third reading.

Senator Magee also presented the following report on Senate Bill No. 252:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred Senate Bill No. 252, recommend that the said bill be laid upon the table, as the matters contained therein have already been considered by the Senate.

MAGEE,
Chairman.

The report was concurred in.

Senator Magee also presented the following report on Engrossed House Bill No. 355:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred House Bill No. 355, concur with the recommendation of the Committee on Claims that the bill do pass.

MAGEE,
Chairman.

The report was concurred, and the bill was read a second time and passed to a third reading.

Senator Magee also presented the following report on Engrossed House Bill No. 188:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred House Bill No. 188, concur with the recommendation of the Committee on Claims and recommend that it do pass.

MAGEE,
Chairman.

The report was concurred in and the bill was read a second time and passed to a third reading.

Senator Magee also presented the following report on Engrossed House Bill No. 187:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred House Bill No. 187, concur with the report of the Committee on Claims and recommend that it do pass.

MAGEE,
Chairman.

The report was concurred in and the bill was read a second time and passed to a third reading.

Senator Magee also presented the following report on Senate Bill No. 310:

MR. PRESIDENT:

Your Finance Committee, to whom was referred Senate Bill No. 310, concur in the recommendation of the Committee on Claims and recommend that the bill pass.

MAGEE,
Chairman.

Senate Bill No. 310 was read a second time, the report of the committee concurred in, and the bill ordered engrossed.

Senator Magee also presented the following report on Senate Bill No. 317:

To be referred back to the Committee on Claims.

MAGEE,
Chairman.

The report was concurred in.

Senator Boyd presented the following memorial:

To the Honorable Members of the Indiana State Senate:

We, the undersigned employes of the Pennsylvania lines operated in the State of Indiana, desire to enter our protest against the passage of House Bill No. 22, known as the Kelly bill. Said bill, if passed, will militate against the Voluntary Relief Department of the Pennsylvania lines west of Pittsburgh, which is operated and conducted by the employes of the Pennsylvania lines, and to which we are members of our own volition. We find by actual experience that the benefits derived from the Voluntary Relief Department, as supported by the employes of the Pennsylvania lines, are satisfactory, and respectfully petition your honorable body to defeat the passage of said bill. We have been members of the Voluntary Relief Department for the last eighteen months, and are highly satisfied with it.

Signed by

O. E. BRADWAY,
and four hundred others.

Read and referred to the Committee on Labor.

Senator Jackson, chairman of the Committee on County and Township Business, made the following report on Senate Bill No. 322:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 322, introduced by Senator Gilman, beg leave to report the same back with the recommendation that the bill do pass.

A. M. JACKSON,
Chairman.

The report of the committee was concurred in, and the bill was read a second time and ordered engrossed.

Senator Jackson, chairman of the Committee on County and Township Business, made the following report on Engrossed House Bill No. 620:

MR. PRESIDENT:

Your Committee on County and Township Business to whom was referred Engrossed House Bill No. 620, introduced

by Representative Callicutt, on account of the legal and constitutional questions involved in said bill, would respectfully recommend that said bill be referred to the Judiciary Committee for consideration.

JACKSON,
Chairman.

The report of the committee was concurred in.

On motion of Senator Akin the Senate adjourned.

THURSDAY AFTERNOON.

FEBRUARY 26, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

Senator Francis, chairman of Committee on Railroads, made the following report on Senate Bill No. 343 :

MR. PRESIDENT :

Your Committee on Railroads, to whom was referred Senate Bill No. 343, introduced by Senator French, beg leave to report same back recommending that it be amended by adding to section 1 the following: "*Provided*, That this act shall not apply to or prevent railroad companies or corporations from making and enforcing rules for the prompt loading and unloading of cars, and for the collection of reasonable compensation for failure of consignors and consignees to promptly load and unload cars, and further recommend that when so amended the bill do pass.

FRANCIS,
Chairman.

The report of the committee was concurred in, and the bill read a second time and ordered engrossed.

Senator Francis, chairman of Committee on Railroads, made the following report on Senate Bill No. 344:

MR. PRESIDENT:

Your Committee on Railroads, to whom was referred Senate Bill No. 344, have had the same under consideration and report the bill back to the Senate with the recommendation that the bill be indefinitely postponed.

FRANCIS,
Chairman.

The report of the committee was concurred in.

Senator Francis, chairman of Committee on Railroads, made the following report on Senate Bill No. 320:

MR. PRESIDENT:

Your Committee on Railroads, to whom was referred Senate Bill No. 320, have had the bill under consideration and report the bill back to the Senate with the recommendation that the bill do pass.

FRANCIS,
Chairman.

The report of the committee was concurred in, and the bill read a second time and ordered engrossed.

Senator Francis, chairman of Committee on Railroads, made the following report on Senate Bill No. 89:

MR. PRESIDENT:

Your Committee on Railroads, to whom Senate Bill No. 89 was referred, have had the same under consideration and do report the bill back to the Senate with the recommendation that the bill be indefinitely postponed.

FRANCIS,
Chairman.

Senator Byrd moved to non-concur in the report of the committee.

Senator Magee moved to lay the motion upon the table.

The ayes and noes were demanded by Senators Byrd and Kopelke.

The question being to lay the motion of Senator Byrd upon the table:

The roll was called which resulted as follows :

Those voting in the affirmative were :

Senators Carver, Clemens, Foley, Francis, Griffith, Grimes, Hobson, McHugh, Magee, Thompson of Huntington. Total, 10.

Those voting in the negative were :

Senators Akin, Burke, Byrd, Ellison, French, Fulk, Gilman, Grose, Hanley, Harlan, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, Morgan, Moore, Sweeney, Thompson of Marion, Thompson of Pulaski, Wiggs and Yaryan. Total, 28.

So the motion to lay upon the table was lost.

The question recurring upon the motion to non-concur was adopted, and the bill was read a second time and ordered engrossed.

Senator Francis made the following report on Senate Bill No. 318:

MR. PRESIDENT :

Your Committee on Railroads, to whom was referred Senate Bill No. 318, have had the bill under consideration and report the bill back to the Senate with the recommendation that the bill be indefinitely postponed.

The report of the Committee was concurred in.

Senator Francis also made the following report on Senate Bill No. 345:

MR. PRESIDENT :

Your Committee on Railroads, to whom Senate Bill No. 345 was referred, have had the bill under consideration, and report the bill back to the Senate with the recommendation that the bill be indefinitely postponed.

FRANCIS,
Chairman.

Senator Fulk moved to non-concur in the report of the committee.

Senator Francis moved to lay the motion of Senator Fulk upon the table.

The ayes and noes were demanded by Senators Fulk and Wiggs.

The question being on the motion to lay upon the table.

The roll was called which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Ewing, Foley, Francis, Griffith, Grimes, Kopelke, Magee. Total, 8.

Those voting in the negative were :

Senators Akin, Byrd, Chandler, Ellison, French, Fulk, Grose, Gilman, Hanley, Harlan, Hayden, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Lynn, Morgan, Moore, Shaqks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total 29.

So the motion to lay upon the table was lost.

The question recurred upon the non-concurrence of the report of the committee.

The report of the committee was non-concurred, in and Senate Bill No. 345 read a second time and ordered engrossed.

Senator Howard, chairman of Committee on Swamp Lands and Drains, made the following report on Engrossed House Bill No. 66 :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains have had House Bill No. 66 under consideration, and recommend that said bill be amended by striking out of the title of said bill the words "section eleven," and by striking out all of the words in section 1 after the enacting clause, and by renumbering the sections accordingly, and when so amended do pass.

Report of committee concurred in, and the bill read a second time and the amendments ordered engrossed.

Senator Lynn, chairman of Committee on Military Affairs, made following report on Senate Bill No. 357 :

MR. PRESIDENT :

Your Committee on Military Affairs, to whom was referred Senate Bill No. 357, introduced by Senator Kennedy, beg leave to report the same back with the recommendation that the bill do pass.

The report of the committee was concurred in, and the bill was read a second time and ordered engrossed.

Senator Holcomb offered the following Concurrent Resolution No. 11 :

MR. PRESIDENT :

Be it Resolved by the Senate, the House of Representatives concurring, That the use of the State House is hereby tendered to the National Assembly of the "Farmers' Mutual Benefit Association" in which to hold their annual meeting commencing on the third Tuesday of November, 1891.

The resolution was adopted.

Senator Holland, chairman of Committee on Claims, made the following report on Senate Bill No. 363 :

MR. PRESIDENT :

Your Committee on Claims, to whom was referred Senate Bill No. 363, introduced by Senator Yaryan, beg leave to report the same back with the recommendation that it do pass.

The report of the committee was concurred in, and the bill was read a second time and ordered engrossed.

Senator Holland, chairman of Committee on Claims, also made the following report on Senate Bill No. 372 :

MR. PRESIDENT :

Your Committee on Claims, to whom was referred Senate Bill No. 372, introduced by Senator Shockney, having considered the same beg leave to report recommending that the said bill pass.

The report of the committee was concurred in, and the bill read a second time and ordered engrossed.

Senator Holland, chairman of Committee on Claims, also made the following report on Engrossed House Bill No. 74 :

MR. PRESIDENT :

Your Committee on Claims, to whom was referred House Bill No. 74, having considered said bill, beg leave to report referring the same to Committee on Finance.

The report of the committee was concurred in.

Senator Kerth, chairman of Committee on Cities and Towns, made the following report on Senate Bill No. 371 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 371 introduced by Senator Smith, beg leave to report that they have said bill under consideration and recommend that same do pass.

The report of the committee was concurred in, and the bill read a second time and ordered engrossed.

Senator Wiggs, chairman of the Committee on Federal Rights, offered the following report on Senate Bill No. 368 :

MR. PRESIDENT :

Your Committee on Federal Rights, to whom was referred Senate Bill No. 368, introduced by Senator Gilman, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Senator Francis, chairman of the Committee on Railroads, offered the following report on Senate Bill No. 43 :

MR. PRESIDENT :

Your Committee on Railroads, to whom Senate Bill No. 43 was referred, have had the bill under consideration, and report the bill back to the Senate with the recommendation that the bill be indefinitely postponed.

The report was concurred in.

Senator Magee offered the following resolution :

WHEREAS, The Senate by resolution heretofore adopted, ordered the custodian of the State House to place in the Senate Chamber an iron railing; and,

WHEREAS, In compliance with said resolution such work was done; therefore, be it

Resolved, That the Assistant Secretary of the Senate be and is hereby authorized to draw a warrant for the sum of forty-three dollars and fifty-one cents (\$48.51) in favor of Healey & O'Brien, who did said work in accordance with the bill hereto annexed.

The resolution was referred to the Committee on Claims.

Engrossed Senate Bill No. 340 was read a third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 44.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed Senate Bill No. 195 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Burke, Caster, Foley, Francis, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hobson, Howard, Hudson, Jones, Kopelka, Magee, Mount, Thompson of Marion, Yaryan. Total, 21.

Those voting in the negative were :

Senators Byrd, Carver, Chandler, Clemans, Ellison, French, Fulk, Gilman, Holcomb, Holland, Kennedy, Kerth, Lynn, McHugh, Morgan, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 28.

Bill failed to pass.

Engrossed House Bill No. 391, entitled :

A bill for an act fixing the time of holding court in the Fourth Judicial Circuit of the State of Indiana, and prescribing the length of terms thereof.

Read first time and referred to Committee on organization of Courts.

Senator Fulk, chairman of Committee on Organization of Courts, made the following report on Engrossed House Bill No. 391 :

MR. PRESIDENT :

Your Committee on Organization of Courts, to whom was referred Engrossed House Bill No. 391, report the same back with the recommendation that the same do pass.

Report of committee concurred in.

Senator Burke moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Caster, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Grimes, Grose, Harlan, Hayden, Hobson, Holcomb, Holland, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Yaryan. Total, 36.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Foley, French, Fulk, Gilman, Grimes, Grose, Harlan, Hobson, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 39.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 13, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Byrd offered the following amendment:

MR. PRESIDENT:

I move to amend section 5, of House Bill No. 13, by striking out all of the section and inserting in lieu thereof the following:

Section 5. That all coal mined in this State, under contract for payment by the ton or other quantity, shall be weighed before being screened, and the full weight thereof shall be credited to the miner of such coal, and eighty pounds of such coal as mined shall constitute a bushel, and two thousand pounds as mined shall constitute a ton: *Provided*, That nothing in this act shall be so construed as to compel payment for sulphur, rock, slate, black jet or other impurities, including dirt which may be loaded with or amongst the coals.

The amendment was adopted.

Senator Byrd moved that the constitutional rule be suspended, the amendments considered engrossed, the bill read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Ellison, Ewing, French, Fulk, Grimes, Grose, Harlan, Hayden, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jones, Kennedy, Kerth, Kopelke, Lynn, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, Wiggs, Yaryan. Total, 86.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 40.

No Senator voting in the negative.

So the bill passed.

Senator Byrd offered the following amendment to the title:
MR. PRESIDENT:

I move to amend the title of House Bill No. 13 by striking out, in line one of the title of said bill, the words "uniformity of screens."

The amendment was adopted.

The title as amended was ordered to stand as the title to the act.

Engrossed House Bill No. 274, entitled :

A bill for an act prohibiting the change, alteration or extension of service or other pipes or attachments, through which gas is furnished by any person, company or corporation, and prohibiting the enlarging the orifices of mixers; and prohibiting the use of gas except through mixers; providing for the return of mixers and other appliances to the owner when entitled thereto; and prohibiting the making of connections and re-connections with the mains and pipes, and the turning on or off, or interfering with the valves or stop-cocks used in furnishing gas, of such person, company or corporation without their consent; and prohibiting the setting on fire of gas escaping from the wells, broken or leaking mains, pipes, valves or other appliances of such person, company, or corporation, and prohibiting the interference with the wells, pipes, mains, gate boxes, valves, stop-cocks, or other appliances, machinery or property of any such person, company or corporation, and fixing a penalty for the violation thereof, and declaring an emergency.

Read first time and referred to Committee on Natural Gas.

Engrossed House Bill No. 125, entitled :

A bill for an act to amend section 2 of an act entitled "an act fixing the salaries of County Commissioners, Township Assessors and Trustees, and declaring an emergency, approved March 9, 1889," and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 186, entitled :

A bill for an act concerning bank officers, brokers, etc., receiving deposits after insolvency, repealing all laws in conflict herewith, and declaring an emergency.

Read the first time and referred to the Committee on Banks and Banking.

Engrossed House Bill No. 466, entitled :

A bill for an act authorizing actuaries of mutual fire insurance companies or associations to administer oaths in certain cases, and declaring an emergency.

Read the first time and referred to the Committee on Insurance.

Engrossed House Bill No. 554, entitled :

A bill for an act to amend section one (1) of an act entitled an act for the encouragement of agriculture, and authorizing the Indiana State Board of Agriculture to purchase, hold and sell real estate, legalizing the purchase by said Board of certain land in Marion County, exempting the property of said Board from taxation, authorizing the County Treasurer of Marion County, and the Treasurer of State to refund certain taxes, and making an annual appropriation for the use of said Board, approved March 8, 1865.

Read the first time and referred to Committee on Agriculture.

Engrossed House Act No. 553, entitled :

A bill for an act appropriating money for erecting a laundry building at the Indiana Reform School for Boys, at Plainfield, and for fully equipping the same, providing how said money shall be drawn from the State Treasury and expended, and declaring an emergency.

Read the first time and referred to the Committee on Benevolent Institutions.

Engrossed House Bill No. 110, entitled :

A bill for an act to regulate the liability of common carriers to shippers, and declaring void all contracts in conflict with the provisions of this act, and declaring an emergency.

Read the first time and referred to Committee on Judiciary.

Engrossed House Bill No. 357, entitled :

A bill for an act to amend an act entitled "An act authorizing cities and incorporated towns to vacate cemeteries within or adjoining their corporate limits, upon conditions and under regulations therein prescribed, continuing and preserving the title to the cemetery grounds in and to such cities and towns; authorizing the officers, owners or directors of any cemetery or cemetery association to make certain improvements, and repealing so much of section two (2) of the act entitled an act to empower the Board of County Commissioners of the several

counties of this State to convey cemeteries to cities and incorporated towns, approved March 4, 1867, as conflicts with this act," approved March 7, 1881.

Read the first time and referred to Committee on the City of Indianapolis.

Engrossed House Bill No. 388, entitled :

A bill for an act to provide for the recording of wills and orders of court in certain cases.

Read first time and referred to Committee on Judiciary :

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 564, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 432, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 359, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 511, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 129, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 401, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 264, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 626, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 201, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

On motion of Senator Shockney the regular order of business was suspended, and Engrossed House Bill No. 22 was read a third time.

Senator Ewing moved that the further consideration of House Bill No. 22 be indefinitely postponed.

The hour of 4 o'clock p. m. having arrived, and the special order for this hour being the consideration of Senate Bill No. 189, Senator Boyd moved that said special order be postponed until to-morrow morning at 9 o'clock.

Senator McHugh moved to reject the motion to postpone.

Which motion was lost.

The question recurring on Senator Boyd's motion to postpone, and the ayes and noes being demanded by Senator Jones and Burke.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hobson, Mount, Shockney and Yaryan. Total, 12.

Those voting in the negative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 34.

So the motion to postpone was lost.

Senator McHugh moved that the constitutional rule be suspended, and Senate Bill No. 189 read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those votine in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 84.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Hobson, Hubbell, Mount and Yaryan. Total, 11.

So the constitutional rule was suspended.

The bill was read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 84.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Clemens, Gilman, Grose, Hanley, Harlan, Hobson, Hubbell, Mount and Shockney. Total, 12.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed House Bill No. 511, entitled :

A bill for an act for the relief of Thomas Wilson, a former Trustee of Madison Township, in Montgomery County, and State of Indiana, and his sureties James Wilson, John Barton and Michael Shotts, from the payment of a certain judgment rendered against them in the Montgomery Circuit Court, in

favor of the State of Indiana *ex rel.* Madison Township, and requiring a satisfaction of the same, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 359, entitled :

A bill for an act making an appropriation for the Indiana Institution for the Education of the Blind, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Engrossed House Bill No. 432, entitled :

A bill for an act enabling superintendents of hospitals for insane to make room for recent cases by the discharge of harmless incurable patients, repealing inconsistent laws, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Engrossed House Bill No. 564, entitled :

A bill for an act to amend an act entitled an act to establish a Board of Children's Guardians in townships having a population of more than seventy-five thousand persons, defining the powers and duties of said Board, providing for a special tax for the establishment and maintaining of homes under the care of such Boards, and declaring an emergency (approved March 9, 1889), and extending the provisions of said act to any county upon the petition of twenty freeholders, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 626, entitled :

A bill for an act authorizing the Governor of Indiana to appoint a Commission to investigate and report on the condition of the accounts of the Terre Haute & Indianapolis Railroad Company with the State of Indiana, and report on the same, fixing the compensation therefor, authorizing said Commission to administer oaths, examine witnesses, send for persons and

papers, compel the attendance of witnesses, authorizing the Governor, Auditor and Secretary of State to audit the accounts therefor, directing said Commission to report its findings, directing the Attorney-General to make a demand for whatever sum may be due, directing the Attorney-General to institute an action for any sum that may be due.

Read first time and referred to Committee on Education.

Engrossed House Bill No. 264, entitled :

A bill for an act for the relief of William M. Myers, of Knox County, Indiana, to indemnify and repay him for the failure of title to land in Knox County, Indiana, purchased by him from the State of Indiana as swamp lands, and appropriating money out of the funds of the State of Indiana for that purpose, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 401, entitled :

A bill for an act to reimburse Thomas Nichols, a resident of Hendricks County, Indiana, to the full amount of his order, on account of his loss in accepting an illegal order issued by the Commissioners of said County on the 12th day of December, 1868.

Read first time and referred to Committee on County and Township Business.

Engrossed House Bill No. 129, entitled :

A bill for an act requiring the Secretary of State to charge and collect for the benefit of the State certain fees from associations and corporations, desiring certain benefits under the laws of the State of Indiana, and requiring all associations and corporations desiring such benefits to pay such fees, and declaring an emergency.

Read first time and referred to Committee on Finance.

Senator Griffith, chairman of Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Acts numbered 126, 188, 296, 248, 146 and 66, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Senate Acts Nos. 126, 188, 296, 248, 146 and 66.

Senator Griffith, chairman of the same committee, also offered the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report that after Enrolled Senate Acts numbered 296, 126, 188, 248, 146 and 66 were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this 26th day of February, 1891.

F. M. GRIFFITH,
Chairman.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, offered the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled House Acts numbered 55, 70, 269, 270, 309, 29, 254, 166, 12, 119, 62, 86 and 118, have carefully examined the same and find the same correctly enrolled.

President Chase announced that he has signed House Acts No. 55, 70, 269, 270, 309, 29, 254, 166, 12, 119, 62, 86 and 118.

Senator Griffith, chairman of the same committee, also offered the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report that after Enrolled House Acts numbered 55, 70, 269, 270, 309, 29, 254, 166, 12, 119, 62, 86 and 118, were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval this February 26, 1891.

F. M. GRIFFITH,
Chairman.

On motion of Senator Thompson, of Marion, the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

FRIDAY MORNING.

FEBRUARY 27, 1891.

The Senate convened at 9 o'clock A. M.

Lieutenant-Governor Chase in the chair.

Prayer was offered by Senator Mount.

After the reading of a portion of the Journal, on motion of Senator Jones the further reading of the same was dispensed with.

The unfinished business from yesterday being the consideration of Engrossed House Bill No. 22, the same was proceeded with.

The question being on Senator Ewing's motion to indefinitely postpone the further consideration of Engrossed House Bill No. 22.

Senator Magee presented the following memorial:

To the Honorable Members of the Indiana State Senate:

We, the undersigned employes of the Pennsylvania lines operated in the State of Indiana, desire to enter our protest against the passage of House Bill No. 22, and known as the "Kelley Bill." Said bill, if passed, will militate against the Voluntary Relief Department of the Pennsylvania lines west of Pittsburgh, which is operated and conducted by the employes of the Pennsylvania lines, and to which we are members of our own volition.

We find by actual experience that the benefits derived from the Voluntary Relief Department, as supported by the employes of the Pennsylvania lines, are satisfactory, and respectfully petition your honorable body to defeat the passage of said bill. We have been members of the Voluntary Relief Department for the last eighteen months, and are highly satisfied with it.

Signed by

J. W. BOLING,
and numerous others.

Read and referred to the Committee on Labor.

Senator Griffith moved to suspend the regular order of business, and to take up Engrossed House Bill No. 275.

Senator Shockney moved to lay that motion on the table.

The ayes and noes being demanded by Senators Shockney and Boyd.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Byrd, Carter, Clemans, Ellison, Gilman, Griffith, Grose, Hanley, Harlan, Hays, Hobson, Hudson, Kopelke, Mount, Shockney. Total, 16.

Those voting in the negative were:

Senators Akin, Burke, Carver, Chandler, Foley, Francis, French, Fulk, Grimes, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Lynn, McHugh, Magee, Morgan, Moore, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 26.

The motion to lay on the table was lost.

And the regular order of business was suspended, and Engrossed House Bill No. 275 taken up for consideration.

Senator Griffith, chairman of the Committee on Fees and Salaries, offered the following report on Engrossed House Bill No. 275:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to whom was referred Engrossed House Bill No. 275, have had the same under consideration, and respectfully report that the fees of all the county officers therein named were based upon the population of the various counties as shown by the last United States census, and upon the services required of the various officers, and as requested by the Representatives of each county.

Your committee further report that in fixing the salaries of the officers of the county of Ripley, by mistake the salaries were fixed upon the basis of 14,000 population, whereas the population of said county, as shown by the last census, was 19,000.

Your committee therefore recommend that section 90 of said act be amended to read as follows:

Section 90. In the county of Ripley the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred dollars, of the Auditor twenty-eight hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer twenty-four hundred dollars and of the Sheriff twenty-two hundred dollars, and that when the bill be so amended, that the same do pass.

On motion of Senator Shockney that part of the committee's report amending section 90 of Engrossed House Bill No. 275 was stricken out.

On motion of Senator Griffith, the Senate went into the committee of the whole to consider Engrossed House Bill No. 275, with Senator Burke as chairman.

President Chase called the Senate to order at 8 o'clock, P. M.

Senator Burke, chairman of the committee of the whole reported progress, and asked leave to sit again after the reading of the Governor's message, which request was granted.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, Feb. 27, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 66, the same being an act in relation to savings banks.

No. 296: In relation to salaries of the Wardens of the State prisons.

No. 146: In relation to the times of holding court in the Third Judicial District.

No. 188: Legalizing the acts of the Board of Trustees of Fisher's Station, Hamilton County, Ind.

No. 126: To legalize the incorporation of the Lafayette Union Railway Co.

No. 243: For the relief of James Anderson, former Treasurer of Warren County.

W. B. ROBERTS,
Private Secretary.

On motion of Senator Burke, the Senate went into the committee of the whole again.

President Chase called the Senate to order at 5:15 P. M.

Senator Burke, chairman of the committee of the whole, reported progress and asked leave to sit again to-morrow morning at 9 o'clock.

Which request was granted.

Senator Clemans offered the following motion:

MR. PRESIDENT:

I hereby give notice that I will, on Monday next at 2 o'clock P. M., move the Senate to reconsider its action on Senate Bill No. 195, introduced by Senator Hudson.

Engrossed House Amendments to Senate Bill No. 192 were read and concurred in.

Senators Fulk and Kopelke were granted leave of absence until Monday morning at 11 o'clock.

Senator Foley introduced Senate Bill No. 373, entitled: -

A bill for an act entitled an act to amend section thirty-eight (38) of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881, said section thirty-eight (38) being section two hundred and ninety-three (293) of the Revised Statutes of 1881; and declaring an emergency.

Read the first time and referred to Committee on Judiciary.

Senator Thompson, of Pulaski, introduced Senate Bill No. 374, entitled:

A bill for an act to amend section two hundred and thirteen (213) of an act concerning proceedings in criminal cases, approved April 19th, 1881, the same being section 1788 of the Revised Statutes of 1881.

Read the first time and referred to Committee on Judiciary.

Senator Chandler introduced Senate Bill No. 375, entitled:

A bill for an act to authorize the consolidation of natural and artificial gas companies.

Read the first time and referred to Committee on Natural Gas.

On motion of Senator Burke, the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

SATURDAY MORNING.

FEBRUARY 28, 1891.

The Senate convened at 9 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by President Chase.

After the reading of a portion of the Journal, on motion of Senator Chandler, the further reading of the same was dispensed with.

Senators Jones and Clemans were granted leave of absence until Monday morning.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 315, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 559, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 480, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 292, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 636, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 297, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 444, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 568, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 73, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 402, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed House Bill No. 363, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 299, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 179, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 112, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 212, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 52, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 61, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 223, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has refused to concur in the amendments made by the Senate to House Bill No. 487, and has appointed Messrs. Oppenheim, Beasley and Claypool to act, with a like committee on the part of the Senate, as a committee of conference in relation to the adoption of such amendments to said bill as may, in the opinion of said committee, be necessary.

THOS. J. NEWKIRK,
Clerk.

Senator Magee offered the following motion :

MR. PRESIDENT :

I move the action of the House on House Bill No. 487 be received and spread on the Journal ; that the Senate refuse to recede from its amendments, and that the Senate appoint three conferees on the part of the Senate to meet with a like number of conferees on the part of the House.

The motion prevailed, and the President appointed Senators Magee, Howard and Hubbell as the conference committee.

Senator McHugh moved that the message from the House relating to Senate Bill No. 179 be laid on the table.

Senator Howard offered the following substitute for Senator McHugh's motion :

WHEREAS, It appears from the report of the Committee on Rights and Privileges, that the motion made by the Senator from Parke, Senator Hobson, to reconsider the vote by which Senate Bill No. 179, introduced by Senator Hudson, passed the Senate, was offered more than one day after said bill had passed the Senate ; and,

WHEREAS, The rules of the Senate require that in such case the motion to reconsider should lie over for one day ; and,

WHEREAS, It further appears from said report of said Committee on Rights and Privileges that notwithstanding said rules of the Senate the said motion of the Senator from Parke was considered and voted upon on the day on which it was offered ; and,

WHEREAS, It further appears from said report that certain words were added to said motion of the Senator from Parke after such motion was voted upon by the Senate, to-wit: A request that said bill No. 179 should be returned from the House; and,

WHEREAS, All such action upon said motion of the Senator from Parke was contrary to the rules of the Senate and to parliamentary law; therefore, be it

Resolved, That so much of the Journal of the Senate as relates to or recites any vote or other action of the Senate upon said motion of the Senator from Parke, Senator Hobson, for the reconsideration of the vote of the Senate on the passage of said Senate Bill No. 179, be and the same is hereby expunged and stricken from the record.

Senator Burke moved to lay the substitute on the table.

Senator Magee raised the point of order that the whole matter had been laid on the table, and that it would have to be taken off the table first.

The Chair sustained the point of order, and ruled Senator Howard's motion out of order.

Senator Howard appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate?

The ayes and noes being demanded by Senators Hudson and Howard.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Caster, Clemans, Francis, French, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hubbell, Kerth, Loveland, Lynn, McHugh, Magee, Mount, Shanks, Shockney, Smith, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 28.

Those voting in the negative were:

Senators Chandler, Ellison, Foley, Gilman, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Morgan, Moore, Thompson of Marion, and Wiggs. Total, 15.

So the decision of the Chair was made the decision of the Senate.

Senator Howard moved to take from the table the resolution offered by the Senator from St. Joseph and laid upon the table February 18.

The ayes and noes being demanded by Senators Burke and Boyd.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Byrd, Chandler, Ellison, Foley, French, Gilman, Hayden, Hays, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Lynn, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 28.

Those voting in the negative were:

Senators Boyd, Burke, Carver, Caster, Clemans, Francis, Griffith, Grimes, Grose, Hanley, Hubbell, Loveland, McHugh and Magee. Total, 14.

So the motion to take from the table was adopted.

Senator Burke moved that the further consideration of the motion to lie on the table be indefinitely postponed.

The ayes and noes being demanded by Senators Burke and Boyd.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Carver, Clemans, Ewing, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hubbell, Loveland, McHugh, Magee and Yaryan. Total, 16.

Those voting in the negative were:

Senators Byrd, Caster, Chandler, Ellison, Foley, French, Gilman, Hays, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Lynn, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 27.

So the motion to indefinitely postpone failed to prevail.

Senator Howard then withdrew the motion to lie on the table, of February 18, and offered the following resolution and moved its adoption .

WHEREAS, It appears from the report of the Committee on Rights and Privileges, that the motion made by the Senator from Parke, Senator Hobson, to reconsider the vote by which Senate Bill No. 179, introduced by Senator Hudson, passed the Senate, was offered more than one day after said bill had passed the Senate; and,

WHEREAS, The rules of the Senate require that in such case the motion to reconsider should lie over for one day; and,

WHEREAS, It further appears from said report of said Committee on Rights and Privileges that, notwithstanding said rules of the Senate, the said motion of the Senator from Parke was considered and voted upon on the day on which it was offered; and,

WHEREAS, It further appears from said report that certain words were added to said motion of the Senator from Parke after such motion was vototed upon by the Senate, to wit, a request that said Bill No. 179 should be returned from the House; and,

WHEREAS, All such action upon said motion of the Senator from Parke was contrary to the Rules of the Senate and to parliamentary law; therefore, be it

Resolved, That so much of the Journal of the Senate as relates to or recites any vote or other action of the Senate upon said motion of the Senator from Parke, Senator Hobson, for the reconsideration of the vote of the Senate on the passage of said Senate Bill No. 179, be and the same is hereby expunged and stricken from the record.

T. E. HOWARD.

The ayes and noes were demanded by Senators Howard and Hudson.

The question being upon the adoption of the resolution offered by Senator Howard.

The roll was called, which resulted as follows :

Those voting in the affirmative were:

Senators Byrd, Chandler, Ellison, Ewing, Foley, French, Gilman, Hays, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Lynn, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 27.

Those voting in the negative were:

Senators Boyd, Burke, Caster, Grimes, Grose, Hanley, Loveland, McHugh, and Magee. Total, 9.

So the resolution was adopted.

Senator Howard offered the following motion:

I move that the further consideration of the motion offered by the Senator from Park, Senator Hobson, for the reconsideration of the vote of the Senate on the passage of Senate Bill No. 179, be postponed indefinitely.

T. E. HOWARD,

The motion was adopted.

Senator Burke offered the following resolution:

WHEREAS, It has been stated upon the floor of this Senate that attempts of bribery have been made in relation to the passage of Senate Bill No. 179; and

WHEREAS, It has been charged that after the passage of Senate Bill No. 179 by the House of Representatives, has been in the custody of persons not connected with either Houses of this General Assembly; therefore be it

Resolved, That a committee of three members of the Senate be appointed to investigate said matters, and with full power to send for persons, papers and administer oaths, and report to the Senate.

Senator Loveland offered the following amendment:

MR. PRESIDENT:

I move to amend the resolution offered by the Senator from Clarke, by inserting the clause: "and employ a stenographer," after the words "persons and papers."

The amendment was adopted.

Senator Thompson, of Marion, moved that the resolution of Senator Burke, as amended by Senator Loveland, be indefinitely postponed.

The ayes and noes being demanded by Senators Burke and Hanley, the roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Hudson, Thompson of Marion, and Yaryan.
Total, 3.

Those voting in the negative were:

Senators Boyd, Burke, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Jones, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 35.

So the motion was lost.

The question recurring on the adoption of Senator Burke's resolution.

The ayes and noes being demanded by Senators Burke and Boyd, the roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, Gilman, Grimes, Grose, Harlan, Hayden, Hays, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs.
Total, 38.

Those voting in the negative were:

Senators Thompson of Marion, and Yaryan. Total, 2.

So the resolution was adopted.

The President appointed Senators Burke, Griffith and Hubbell as the committee of investigation.

Engrossed House Bill No. 355 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Caster, Chandler, Clemens, Ellison, Foley, Francis, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 38.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following majority report was presented on Engrossed House Bill No. 440 :

MR. PRESIDENT :

A majority of your Committee on Legislative Apportionment, to whom was referred Engrossed House Bill No. 440, have had the same under consideration, and have instructed me to report the same back with the recommendation that the same shall pass.

J. H. THOMPSON,
Chairman.

The following minority report was presented on Engrossed House Bill No. 440 :

MR. PRESIDENT :

We, the minority of your Committee on Legislative Apportionment, having had under consideration House Bill No. 440 and believing it to be bad in form and principle, unlawful and unconstitutional, and calculated to do great injury to many of the citizens of Indiana, by depriving them of their just representation in the law-making department of the Government; a right guaranteed them by the organic law, and which should

be held sacred by every man, and especially so by those who have been clothed by the people with the law-making power, and selected by their fellows to protect and guard every right of the citizen and to preserve the honor and integrity of the State. And believing such a bill is calculated to change our system of government by substituting minority for majority rule, and that such legislation has a tendency to breed contempt for all law because it is itself subversive of law, and that it will tend by its very nature to break down the safe guards prepared by our fathers for the preservation of political liberty, for these and other reasons we hereby enter our protest against the passage of said bill, and as a substitute for said House Bill No. 440, we offer Senate Bill No. 222, hereto amended, which is also pending before your committee, and we recommend that the bill so substituted do pass:

WM. W. GILMAN,
WM. GROSE,
LOVELAND.

An act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana, That the General Assembly of the State of Indiana shall consist of fifty Senators and one hundred Representatives.*

SEC. 2. The said Senators shall be apportioned among the said counties as follows, to-wit: Allen, one Senator; Cass, one Senator; Elkhart, one Senator; Marion, three Senators; St. Joseph, one Senator; Tippecanoe, one Senator; Vanderburgh, one Senator; Vigo, one Senator; Wayne, one Senator; Lagrange and Noble, one Senator; Dekalb and Steuben, one Senator; Kosciusko and Whitley, one Senator; Marshall and Fulton, one Senator; Laporte and Starke, one Senator; Lake and Porter, one Senator; Newton, Jasper and Pulaski, one Senator; Parke, Vigo and Vermillion, one Senator; White, Benton and Warren, one Senator; Carroll and Clinton, one Senator; Miami and Howard, one Senator; Wabash and Grant, one Senator; Adams, Jay and Blackford, one Senator;

Madison, Delaware and Randolph, two Senators; Hamilton and Tipton, one Senator; Henry and Hancock, one Senator; Rush, Fayette and Union, one Senator; Shelby and Marion, one Senator; Boone and Hendricks, one Senator; Montgomery and Fountain, one Senator; Putnam and Morgan, one Senator; Clay and Owen, one Senator; Johnson, Brown and Monroe, one Senator; Bartholomew and Decatur, one Senator; Franklin and Dearborn, one Senator; Jennings, Ripley and Ohio, one Senator; Scott, Jefferson and Switzerland, one Senator; Jackson and Lawrence, one Senator; Green and Sullivan, one Senator; Knox and Pike, one Senator; Daviess, Martin and Orange, one Senator; Clark and Washington, one Senator; Floyd and Harrison, one Senator; Crawford, Perry and Dubois, one Senator; Spencer, Warrick and Vanderburgh, one Senator; Gibson and Posey, one Senator.

SEC. 3. The said Representatives shall be apportioned among the several counties as follows, to-wit: Allen, three Representatives; Bartholomew, one Representative; Carroll, one Representative; Decatur, one Representative; Fountain, one Representative; Greene, one Representative; Howard, one Representative; Hendricks, one Representative; Harrison, one Representative; Jackson, one Representative; Johnson, one Representative; Lake, one Representative; Parke, one Representative; Porter, one Representative; Posey, one Representative; Putnam, one Representative; Ripley, one Representative; Rush, one Representative; Spencer, one Representative; Sullivan, one Representative; Warrick, one Representative; Huntington, one Representative; Vanderburgh, two Representatives; Wabash, one Representative; Wayne, two Representatives; St. Joseph, two Representatives; Elkhart, two Representatives; Marshall, one Representative; Adams and Wells, one Representative; Boone, one Representative; Boone, Hamilton and Tipton, one Representative; Cass, one Representative; Cass and Pulaski, one Representative; Clark, one Representative; Clark, Scott and Floyd, one Representative; Clay, one Representative; Clay and Owen, one Representative; Clinton, one Representative; Clinton and Montgomery, one Representative; Daviess, one Representative; Daviess, Knox and Martin, one Representative; Dearborn, one Representative; Dearborn and Franklin, one Representative;

Dekalk, one Representative; Dekalk and Steuben, one Representative; Delaware, one Representative; Delaware, Madison and Tipton, one Representative; Floyd, one Representative; Gibson, one Representative; Gibson and Pike, one Representative; Grant, one Representative; Grant, Adams and Wells, one Representative; Hamilton, one Representative; Henry, one Representative; Hancock, one Representative; Jay, one Representative; Jay, Blackford and Randolph, one Representative; Jefferson, one Representative; Jefferson and Jennings, one Representative; Knox, one Representative; Kosciusko, one Representative; Kosciusko and Fulton, one Representative; Laporte, one Representative; Laporte and Starke, one Representative; Madison, one Representative; Marion, six Representatives; Marion and Shelby, one Representative; Miami, one Representative; Whitley, one Representative; Montgomery, one Representative; Tippecanoe and Warren, one Representative; Noble, one Representative, Noble and Lagrange, one Representative; Randolph, one Representative; Shelby, one Representative; Tippecanoe, one Representative; Vigo, two Representatives; Vigo and Vermillion, one Representative; Union and Fayette, one Representative; Benton and White, one Representative; Newton, Jasper and White, one Representative; Ohio and Switzerland, one Representative; Monroe and Morgan, one Representative; Morgan and Brown, one Representative; Perry and Dubois, one Representative; Crawford and Dubois, one Representative; Orange and Lawrence, one Representative; Washington and Lawrence, one Representative.

SEC. 4. All laws and parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

Senator Francis offered the following resolution :

MR. PRESIDENT :

WHEREAS, Section 4982 of the Revised Statutes of 1881 provides that it shall be the duty of the Principal Secretary of the Senate to make a complete calendar of all bills and joint resolutions pending in the Senate, including those which have been acted upon during the session, to be filed with the State Librarian, and that said Secretary of State shall make and publish in the Senate Journal a full and complete list and index thereto

of all bills and joint resolutions which have been acted upon during the session; and the rules of the Senate have required said Secretary to furnish a calendar of bills and joint resolutions pending in the Senate, and have the same published and laid upon the desk of each Senator every Monday morning, in addition to his regular duties as Secretary of the Senate; and,

WHEREAS, Section 4983 of the Revised Statutes of 1881 makes it the duty of the assistant Secretary of the Senate to superintend the printing of, read the proof and properly index all matter in the Journals, and to file in the office of the Secretary of State such printed and written copies of such Journal, and said section provides that the Senate shall make the proper allowance to said officers for the services enumerated; therefore, be it

Resolved, That D. H. Fenton, Secretary of the Senate, be allowed the sum of four hundred and fifty dollars, and George S. Pleasants, Assistant Secretary of the Senate, be allowed the sum of five hundred dollars, for the performance of the services above respectively enumerated, and the President of the Senate is hereby authorized to draw his warrants in favor of the above-named officers for said sums of money, payable out of the funds appropriated for the payment of the expenses of this General Assembly.

Referred to Committee on Claims.

Senator Byrd, chairman of Committee on Benevolent Institutions, made the following report on Senate Bill No. 10:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to whom was referred Senate Bill No. 10, introduced by Senator Morgan, have had the bill under consideration, and report the bill back to the Senate, with the recommendation that the bill be amended as follows:

Section 1. Strike out the words "for the erection of a school house for boys, twenty thousand dollars," also the words "for the erection of a school house for girls, twenty thousand dollars." Also, amend the lines "for the erection of a building for an industrial department, fifteen thousand dollars" by inserting in place of the word "fifteen" the word "eleven," and when so amended that the bill do pass.

Report of committee concurred in.

Senate Bill No. 10, together with the report of the committee thereon, was read a second time and ordered engrossed.

Senator Byrd, chairman of Committee on Benevolent Institutions, also made the following report on Senate Bill No. 260 :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to whom was referred Senate Bill No. 260, introduced by Senator Yaryan, have had the bill under consideration and report the bill back to the Senate with the recommendation that the bill do pass.

Report of committee concurred in.

Senate Bill No. 260, together with the report of the committee thereon, was read a second time and ordered engrossed.

Senator Byrd, chairman of Committee on Benevolent Institutions, also made the following report on Engrossed House Bill No. 359 :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to whom was referred House Bill No. 359, have had the bill under consideration, and report the bill back to the Senate with the recommendation that the bill do pass.

Report of the committee concurred in.

Engrossed House Bill No. 359, together with the report of the committee thereon, was read a second time and passed to a third reading.

Senator Byrd, chairman of Committee on Benevolent Institutions, also made the following report on Engrossed House Bill No. 432 :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to whom was referred House Bill No. 432, have had the bill under consideration, and report the bill back to the Senate with the recommendation that the bill be indefinitely postponed, the Senate having defeated one bill of the same import.

The report was concurred in.

Senator Byrd, chairman of the Committee on Benevolent Institutions, also made the following report on Engrossed House Bill No. 553 :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to whom was referred House Bill No. 553, have had the same under consideration, and report recommending the passage of the bill.

Report of committee concurred in.

Engrossed House Bill No. 553, together with the report of the committee thereon, was read a second time and passed to a third reading.

Senator Byrd, chairman of Committee on Benevolent Institutions, also made the following report on Senate Bill No. 324 :

MR. PRESIDENT :

Your Committee on Benevolent Institutions, to whom was referred Senate Bill No. 324, introduced by Senator Griffith, have had the bill under consideration, and report the bill back to the Senate with the recommendation that the bill be indefinitely postponed.

Report of committee concurred in.

Senator Byrd, chairman of Committee on Benevolent Institutions, also made the following report on Senate Bill No. 191 :

MR. PRESIDENT :

Your Committee on Benevolent Institutions to whom was referred Senate Bill No. 191, introduced by Senator Chandler, have had the bill under consideration, and report the bill back to the Senate with the following recommendations :

That the bill be amended by striking out sections 1, 2, 3, 4 and 5 and insert as section 1 as follows :

For the construction of bath rooms and water-closets, five thousand dollars ; for the construction of drains and sewers, one thousand dollars ; for cement floors and closets in school building, one thousand dollars ; for new boilers, three thousand

and five hundred dollars; for electric-light plant, six thousand dollars; for ice-houses, etc., one thousand dollars; and when so amended that the bill do pass.

Report of committee, with amendments, concurred in.

Senate Bill No. 191, together with the report of the committee thereon, was read a second time and ordered engrossed.

Senator Byrd, chairman of Committee on Benevolent Institutions, also made the following report on Senate Bill No. 297:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to whom was referred Senate Bill No. 297, introduced by Senator Byrd, have had the same under consideration, and report the bill back to the Senate with the recommendation that the bill do pass.

Report of committee concurred in.

Senate Bill No. 297, together with the report of the committee thereon, was read a second time and ordered engrossed.

Senator Byrd, chairman of Committee on Mines and Mining, offered the following report on Engrossed House Bill No. 136:

MR. PRESIDENT:

Your Committee on Mines and Mining, to whom was referred Engrossed House Bill No. 136, have had the same under consideration, and report the bill back to the Senate, with the recommendation that the bill be indefinitely postponed, the subject matter being embraced in House Bill No. 13, heretofore passed upon by the Senate.

BYRD,
Chairman.

The report was concurred in.

Senator Byrd, chairman of the same committee, also offered the following report on Senate Bill No. 302:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to whom was referred Senate Bill No. 302, introduced by Senator Yaryan, have had the same under consideration and report the bill back to the Senate with the recommendation, that the bill be indefinitely postponed.

The report was concurred in.

Senator Byrd, chairman of the same committee, also offered the following majority report on Senate Bill No. 15:

MR. PRESIDENT:

A majority of your Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 15, introduced by Senator Boyd, having had the same under consideration, submit the following report:

Amend section one as follows: Strike out the word "a," in line 4 of said section; also strike out lines 5, 6, 7, 8 and the words "and dollars," also the word "eight," in line 9, and insert in lieu thereof the word "three"; also, by striking out the words "twenty-eight," in line 12 of said section, and insert in lieu thereof the word "twelve"; also, by striking out the word "twelve," in line 16, and insert in lieu thereof the word "ten"; also, by striking out the word "two" and the letter "s," after the word "cottages" in line 16, and insert in lieu thereof, after the word "also," "repair one"; also, by striking out the word "two," at the end of line 17, and the word "thousand," in line 18, and insert in lieu thereof the words "five hundred"; also, by striking out the words "three thousand," in lines 24 and 25, and insert in lieu thereof, "fifteen hundred"; also, by striking out the word "four," in line 31, and insert in lieu thereof the word "three"; also, by striking out the words "also to continue," in line 31; also, to strike out lines 32, 33, 34, 35, 36, 37, 38 and the words "the sum of ten thousand dollars," in line 39; also, by striking out the words "also the sum," in line 47; also, lines 48, 49, 50, 51 and 52, and when said bill is so amended we recommend that the same do pass.

BYRD,
Chairman.

Also, the following minority report was presented on Senate Bill No. 15:

MR. PRESIDENT:

A minority of your Committee on Benevolent Institutions, who have had under consideration Senate Bill No. 15, introduced by Senator Boyd, beg leave to report that they recommend that said bill be amended by striking out all after the enacting clause and by inserting in lieu thereof the following:

That the Board of Trustees of the Indiana Soldiers' and Sailors' Orphans' Home, located in Rush County, is hereby authorized and required to construct and furnish upon the grounds of said institution a chapel or assembly hall at a cost not exceeding the sum of thirteen thousand dollars; also, an extension of the hospital, such as may be proper and necessary for the care of the sick or disabled pupils of said institution and for quarantine, at a cost not exceeding the sum of three thousand dollars; also, six additional cottages for the use of pupils and necessary employes, which cottages may be single or any two of them may be constructed as a double cottage, all of said additional cottages to cost not exceeding the sum of eighteen thousand dollars; also, an additional work-shop or work shops, or extensions of existing work-shops, and suitable fire escapes for the entire institution, at a cost not exceeding the sum of six thousand dollars; also, two additional school-rooms, and proper alterations in the old chapel to adapt it to school purposes, at a cost not exceeding the sum of five thousand dollars. Said Board is also authorized and required to repair the farm cottage on said grounds, at a cost not exceeding the sum of five hundred dollars; also, to complete and furnish the upper story of the new dinning hall of said institution, at a cost not exceeding the sum of one thousand dollars; also, to sink a well or wells, and to provide proper and necessary apparatus and pipes in connection therewith for supplying pure water and for extinguishing fires, at a cost not exceeding the sum of two thousand dollars; also, to extend and improve the electric lighting system of said institution, at a cost not exceeding the sum of two thousand dollars; also, to construct new water closets and proper and needed approaches thereto, and necessary sewers therefor, at said institution at a cost not exceeding the

sum of three thousand dollars ; also, to continue the improvement of the grounds of said institution, and to remove from its present location to a more suitable situation the frame school house on said grounds, and to convert the same into a gymnasium, armory and band quarters, at a cost not exceeding the sum of fifteen hundred dollars. And the various sums of money hereinbefore mentioned, or so much thereof as may be necessary for the several purposes mentioned, respectively, are hereby appropriated for said several purposes out of any moneys in the State Treasury not otherwise appropriated, and said Board of Trustees is further authorized to receive, and there is hereby appropriated annually, out of any moneys in the State Treasury not otherwise appropriated, the sum of three hundred dollars for the maintenance of a library and reading room at said institution ; also, the sum of two thousand dollars, or as much thereof as may be needed, for the making of current repairs in and about the buildings and grounds of said institution and for payment of the expenses of the transportation of indigent pupils of said Home, and for other contingent expenses of said institution.

Section 2. That on and after the taking effect of this act, so much of an act entitled, " An act making appropriations for the State government and its institutions, making certain specific appropriations, directing the application of such appropriations, requiring accounts to be kept by the fiscal years of the State, repealing inconsistent laws, designating the persons to whom certain appropriations therein made shall be paid, prescribing the duties of the Auditor of State and Treasurer of State with reference to the payment of such appropriations, providing penalties of any violations thereof, and declaring an emergency," approved March 11, 1889, as relates to or affects the Indiana Soldiers' and Sailors' Orphans' Home, shall cease to be operative, except as to money already drawn by and for said institution from the State Treasury under the provisions of said act, and except, also, as to any indebtedness, already incurred and contracted by said Board of Trustees for and on account of said Home and accrued salaries of officers and trustees thereof, which indebtedness and accrued salaries shall be paid under and out of the appropriations made by said act and not yet drawn from the State Treasury, but the current

expenses of said institution, not otherwise provided for herein, together with the salaries of its officers and trustees, after the taking effect of this act, shall be regulated and paid under and by the provisions of the statute entitled, "An act to establish and maintain the Indiana Soldiers' and Sailors' Orphans' Home, and to repeal certain statutes relating thereto," approved February 15, 1887, and not under or according to the provisions of said act approved March 11, 1889.

Section 3. An emergency exists for the immediate taking effect of this act, therefore it shall be in force from and after its passage.

CARVER,
HOBSON.

The reports were ordered printed.

Engrossed House Bill No. 73, entitled :

An act to provide for the incorporation of boards for the relief of disabled ministers of the Gospel, missionaries or their dependents, orphans and other persons, and declaring an emergency.

Read first time.

Senator Burke moved that the constitutional rule be suspended, that the bill be read a second time by title, a third time by sections, and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Ewing, Francis, French, Griffith, Grose, Harlan, Hayden, Hays, Holcomb, Howard, Hubbell, Hudson, Jackson, Kennedy, Kerth, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 34.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Caster, Chandler, Ellison, Foley, French, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski and Yaryan. Total, 35.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 558, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and Engrossed House Bill No. 558 ordered engrossed.

On motion of Senator Shockney, House Bill No. 22 was made the special order for the afternoon at 2 o'clock.

Engrossed House Bill No. 553, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in, and Engrossed House Bill No. 553 passed to a third reading.

Senator Akin moved that the constitutional rule be suspended, Engrossed House Bill No. 553 read a third time by sections and placed upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Caster, Chandler, Ellison, Ewing, Foley, French, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Holcomb, Howard, Hubbell, Hudson, Jackson, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee,

Morgan, Moore, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 38.

No Senator voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 553 read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Carver, Caster, Chandler, Ellison, Ewing, Foley, French, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Holcomb, Howard, Hubbell, Hudson, Jackson, Kennedy, Kerth, Loveland, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, and Yaryan. Total, 35.

Senator Lynn voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Thompson, of Marion, chairman of the Committee on Affairs of the City of Indianapolis, presented the following report on Engrossed House Bill No. 357:

MR. PRESIDENT:

Your Committee on Affairs of the City of Indianapolis, to whom was referred Engrossed House Bill No. 357, entitled "an act to amend an act entitled an act authorizing cities and incorporated towns to vacate cemeteries, etc.," have had the same under consideration, and herewith report the same back to the Senate with the recommendation that the same do pass.

W. C. THOMPSON,
Chairman.

The report of the committee was concurred in, and Engrossed House Bill No. 357 was read a second time and passed to a third reading.

Engrossed Senate Bill No. 244 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Ewing, French, Gilman, Griffith, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Kerth, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski. Total, 29.

Those voting in the negative were:

Senators Burke, Chandler, Ellison, Grose, Kennedy, Shockney, Thompson of Marion. Total, 7.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Burke moved that when the Senate adjourn it be till Monday morning at 11 o'clock.

The motion was lost.

On motion of Senator Burke the Senate adjourned.

SATURDAY AFTERNOON.

FEBRUARY 28, 1891.

The Senate convened at 2 o'clock p. m., Lieutenant-Governor Chase in the chair.

Senators Hubbell and Grose were granted leave of absence till Monday morning.

Engrossed House Bill No. 484 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Caster, Ellison, Ewing, Foley, Francis, French, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Holcomb, Hudson, Jackson, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 85.

No Senator voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 292, entitled :

A bill for an act for the the regulation of foreign building, loan and mutual benefit associations.

Read first time and referred to Committee on Corporations.

Engrossed House Bill No. 363, entitled :

A bill for an act defining the rights and liabilities of hotel, inn, boarding and eating-house keepers, and providing penalties for violation thereof.

Read first time and referred to Committee on Federal Relations.

Engrossed House Bill No. 480, entitled :

An act to legalize the sales of real estate heretofore made by executors or administrators on petitions filed in the Circuit Courts, where notices of such petitions and the hearing thereof were published in any daily newspaper printed and published in any city of this State containing 10,000 or more population, and to legalize such notices heretofore made and published, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 559, entitled :

An act to legalize Sheriff's, administrator's, executor's and commissioners' sales of real estate in cities of less than 10,000 inhabitants, as shown by the census of 1880, made in pursuance of such notice of sales having been printed in weekly newspapers of the county where such real estate is situated.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 815, entitled :

A bill for an act requiring dealers in grain to keep a half hushel standard measure in their place of business for use by themselves or their customers on demand, and providing penalties for the violation thereof.

Read first time and referred to Committee on Agriculture.

Engrossed House Bill No. 402, entitled :

A bill for an act to amend section 1 of "an act entitled an act to amend an act to amend the fourth and sixth sections of the act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, by providing that any companies which may have been incorporated in this State for any of the purposes contemplated in said act, with a fixed amount or limitation of capital, may increase the same by a vote of its stockholders in the same manner as is provided in said section for increasing capital stock and providing for election of directors and certain officers, and prescribing the manner of casting the votes in such elections, approved March 11, 1861, and declaring an emergency. Approved March 11, 1889.

Read first time and referred to Committee on Corporations.

Engrossed House Bill No. 444, entitled :

An act to enable cities by petition in the Circuit Court of the county in which said city is situated, to have established drains as inlets or outlets, leading in to or out of said city, and to assess benefits against said city, and against any highway affected thereby, and benefits and damages for or against the

owners of lands affected thereby, and to enable cities by agreement with owners of said lands to construct drains as inlets or outlets leading into or out of said city.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 297, entitled :

An act to amend an act entitled "An act in relation to promissory notes, bank checks and bills of exchange, and to designate the holidays to be observed in the presentment, acceptance and payment of same, approved March 16, 1875, and declaring an emergency," and amended March 5, 1889, the same being section 5517 of the Revised Statutes of 1881.

Read first time and referred to Committee on Labor.

Engrossed House Bill No. 636, entitled :

An act to prohibit City Councils or other city authorities in cities of 50,000 and less than 100,000 inhabitants, according to the United States Census of 1890, from extending street car or other franchises covering the use of streets or alleys, or extending contracts, or altering or amending either during the term for which said franchise or contracts were originally granted or entered into, limiting the time of franchises, and fixing the minimum rental therefor, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 299, entitled :

A bill for an act to enable land owners to cancel assessments made upon real estate by virtue of an act of the General Assembly approved April 8, 1885, entitled an act concerning gravel and macadamized roads, and declaring an emergency.

Read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 568, entitled :

A bill for an act to provide for the care of the battle flags of the State of Indiana, and to appropriate the sum of four hundred and fifty-seven dollars and thirty cents to pay for the cost of cases to preserve the same in the State Museum and declaring an emergency.

Read first time and referred to Committee on Military Affairs.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 492, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 442, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 530, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senator Magee, chairman of Committee on Finance, made the following report on Engrossed House Bill No. 129 :

MR. PRESIDENT :

Your committee to whom was referred Engrossed House Bill No. 129 would respectfully report that they have had said bill under consideration, and recommend that the same do pass.

Report of the committee concurred in.

Senator Magee moved that the constitutional rule be suspended, the bill read a second time by title, and a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Carver, Caster, Chandler, Ellison, Ewing, Foley, Francis, French, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Holcomb, Howard, Hudson, Jackson, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 38.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 41.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Ewing presented the following notice :

MR. PRESIDENT :

I hereby give notice that on Monday, March 2, 1891, I will move to reconsider the vote by which House Bill No. 484 was passed.

The Secretary was instructed not to return House Bill No. 484 to the House.

The special order for this hour being the consideration of Engrossed House Bill No. 22, the same was proceeded with.

The question before the Senate being on Senator Ewing's motion to indefinitely postpone further action on Engrossed House Bill No. 22, the same was withdrawn by Senator Ewing.

Senator Hays offered the following motion :

MR. PRESIDENT :

I move that House Bill No. 22 be referred to a special committee of one, with instructions to amend section 2 of said bill by inserting the words "without the consent of such workmen, laborers or employes," after the words "keep back," in line 2 of said section 2.

The motion was adopted, and Senator Hays appointed as such special committee.

Seator Hays, as the special committee of one, offered the following report :

MR. PRESIDENT :

Your special committee of one, to whom was referred Engrossed House Bill No. 22, for amendment, beg leave to report that such amendment as directed has been made.

The report was concurred in.

Senator Loveland offered the following motion :

MR. PRESIDENT :

I move to refer House Bill No. 22 to a special committee of one with instructions to amend section 4 by adding the following proviso : "*Provided*, That nothing in this act shall operate to interrupt or in any way to interfere with the existing

hospital system upon any railroad or railroads of this State, or with the existing system of raising revenue for the support of such hospitals."

Senator Shockney moved to reject the motion of Senator Loveland.

Which motion was lost.

The question recurring on the adoption of Senator Loveland's motion.

The same was adopted.

Senator Loveland was appointed as such committee.

Senator Loveland, as the special committee, made the following report:

MR. PRESIDENT:

Your special committee of one to whom was referred House Bill No. 22 for amendment respectfully report the same back amended as directed.

LOVELAND.

The report of the committee was adopted.

Senator Ewing offered the following amendment:

MR. PRESIDENT:

I move to refer House Bill No. 22 to a committee of one with instructions to amend the same by adding after the word "due," in line 5 of section 1 of the printed copy, the following: "without the consent of such workman, laborer or employe."

The ayes and noes being demanded by Senators Byrd and Shockney, the roll was called which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Ewing, Griffith, Grimes, McHugh, Magee, Sweeney, Thompson of Huntington, and Yaryan. Total, 10.

Those voting in the negative were:

Senators Akin, Byrd, Carver, Caster, Ellison, Foley, French, Gilman, Harlan, Hayden, Hays, Holcomb, Howard, Hudson,

Jackson, Kennedy, Kerth, Loveland, Lynn, Morgan, Moore, Mount, Shanks, Shockney, Thompson of Marion, Thompson of Pulaski, and Wiggs. Total, 27.

So the motion was rejected.

Senator Burke offered the following amendment:

MR. PRESIDENT:

I move to refer House Bill No. 22 to a special committee of one, with instructions to amend the same by adding the following proviso to section 4: "*Provided, however, That it shall be lawful for any such corporation to establish and maintain a voluntary relief fund for the assistance of its employes, and to make and enter into voluntary contracts with its employes for the payment, by such employes, of voluntary contributions for the maintenance of such fund; and it shall be lawful for such corporation to retain and receive from its employes, voluntary contributions and payments for the maintenance of such relief fund, and for the payment of benefits to such employes therefrom.*"

Senator Ellison moved to reject Senator Burke's motion.

The ayes and noes being demanded by Senators Burke and Shockney.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Caster, Ellison, Gilman, Grimes, Hays, Holcomb, Howard, Hudson, Jackson, Kennedy, Kerth, Loveland, Mount, Shockney, Thompson of Pulaski, and Wiggs. Total, 16.

Those voting in the negative were:

Senators Boyd, Chandler, Ewing, Foley, Francis, Griffith, Harlan, Holcomb, McHugh, Magee, Shanks, Smith, Sweeney, and Thompson of Marion. Total, 14.

So the motion to reject was lost for want of a quorum.

The President ordered a call of the house and the following Senators answered to their names:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Ellison, Ewing, Foley, Francis, French, Gilman, Griffith, Grimes, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Kennedy, Kerth, Loveland, McHugh, Magee, Morgan,

Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 37.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 648, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 652, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has adopted the report of the Conference Committee of the two Houses on House Bill No. 487.

THOS. J. NEWKIRK,
Clerk.

Senator Magee, from the Conference Committee, offered the following report:

MR. PRESIDENT:

Your committee heretofore appointed by the House, consisting of Representatives Beasley, Oppenheim and Claypool to meet a like committee appointed on the part of the Senate, consisting of Senators Magee, Howard and Hubbell, met as conferees on the subject of House Bill No. 487, after having the subject of disagreement of the amendments made to said bill under consideration, have the honor to report:

The House accedes to all the amendments made in the Senate to said bill except the following :

First. That the House does not accede to the Senate amendment constituting the State Board of Tax Commissioners.

Second. That the House does not accede to the Senate amendment fixing the pay of Tax Commissioners as created by the act.

That the Senate recedes from said two amendments and accedes to the provisions of the bill as passed by the House, except as to making the Treasurer of State and Attorney-General members of said Board.

That the committee recommend said Board consist of the Governor, Auditor of State, Secretary of State and the two Tax Commissioners hereafter to be appointed. That the pay of the Tax Commissioners shall be \$2,000 each, per annum, together with \$600 each for traveling expenses.

Third. That the appointment of the Tax Commissioners shall be vested in the Governor as originally provided in said bill.

JOHN T. BEASLEY,
Chairman.

OPPENHEIM,
CLAYPOOL,
on part of the House.

MAGEE,
HOWARD,
majority on part of the Senate.

On motion of Senator Burke the consideration of the report was made the special order for Monday morning, 11:30 A. M.

Senator McHugh moved to adjourn.

Which motion was lost.

Senator Shockney moved that the Senate take another vote on the rejection of Senator Burke's motion, and on that motion he demanded the previous question.

The question being, Shall the Senate second the demand for the previous question ?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Byrd, Carver, Caster, Ellison, Foley, Francis, French, Gilman, Griffith, Harlan, Hays, Holcomb, Howard, Hudson, Jackson, Kennedy, Kerth, Loveland, Magee, Morgan, Mount, Shanks, Shockney, Thompson of Pulaski, Wiggs. Total, 25.

Those voting in the negative were:

Senators Boyd, Chandler, Ewing, Grimes, Hayden, McHugh, Smith, Sweeney, Thompson of Marion, Thompson of Huntington. Total, 10.

So the demand for the previous question was seconded.

The question then being, Shall the main question be now put?

The same was agreed to.

The question being on the rejection of Senator Burke's amendment.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Carver, Caster, Ellison, Gilman, Harlan, Hays, Holcomb, Howard, Hudson, Jackson, Kennedy, Kerth, Loveland, Mount, Shockney, Thompson of Pulaski, Wiggs. Total, 18.

Those voting in the affirmative were:

Senators Boyd, Chandler, Ewing, Foley, French, Grimes, Hayden, McHugh, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington. Total, 14.

The amendment was rejected.

Senator Shockney moved to put Engrossed House Bill No. 22 upon its passage, and upon that motion he demanded the previous question.

The question being, Shall the Senate second the demand for the previous question?

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Byrd, Carver, Caster, Ellison, Foley, French, Gilman, Harlan, Hays, Howard, Hudson, Kennedy, Loveland, Morgan, Mount, Shockney, Thompson of Pulaski, and Wiggs. Total, 18.

Those voting in the negative were :

Senators Akin, Boyd, Chandler, Ewing, Francis, Grimes, Hayden, Holcomb, Jackson, Kerth, Shanks, Smith, Sweeney, Thompson of Marion, and Thompson of Huntington. Total, 15.

The Chair announced three Senators present not voting, thus making a quorum.

So the demand for the previous question was seconded.

The question then being, Shall the main question be now put?

The same was agreed to.

Senator Ewing moved to adjourn.

The ayes and noes being demanded by Senators Shockney and Hays.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Chandler, Ewing, Francis, Holcomb, Jackson, McHugh, Morgan, Thompson of Huntington. Total, 9.

Those voting in the negative were :

Senators Akin, Byrd, Carver, Caster, Ellison, Foley, French, Gilman, Grimes, Harlan, Hayden, Hays, Howard, Hudson, Kennedy, Kerth, Loveland, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Pulaski, and Wiggs. Total, 24.

So the motion to adjourn did not prevail.

The question recurring on the passage of Engrossed House Bill No. 22.

The roll was called, which resulted as follows :

Those voting in the affirmative were: .

Senators Boyd, Carver, Caster, Ellison, Foley, French, Gilman, Grimes, Harlan, Hays, Howard, Hudson, Jackson, Kennedy, Kerth, Loveland, Mount, Shanks, Shockney, Thompson of Pulaski, and Wiggs. Total, 21.

Those voting in the negative were:

Senators Akin, Chandler, Ewing, Francis, Hayden, Holcomb, Magee, Morgan, Smith, Sweeney, and Thomson of Huntington. Total, 11.

So the bill failed to pass for want of a constitutional majority.

Senator Thompson, of Marion, chairman of the Committee on the Affairs of the City of Indianapolis, offered the following majority report on Engrossed House Bill No. 44:

MR. PRESIDENT:

Your Committee on City of Indianapolis, to whom was referred House Bill No. 44, have had the same under consideration, and would respectfully recommend the following amendments:

Amend section ten (10) by striking out the word "fifteen" and inserting in lieu thereof the words "twenty-five."

Further along in the same section strike out the word "sixth" and insert in lieu thereof the word "tenth."

Amend section eleven (11) by striking out the words, "and the whole city shall elect six Councilmen at large."

Amend section fourteen (14) by striking out the word "eleven," occurring before the words, "members shall constitute a quorum," and insert in lieu thereof the word "thirteen."

Amend section twenty-three (23), under the sub-head of "public comfort and health," by inserting immediately after the first clause under said sub-head the following clause, "to regulate and require the inspection of plumbing and house-drainage in all buildings both public and private, and for the licensing and registration of plumbers."

Immediately following the last above clause, insert the following:

"To provide for the licensing of stationary engineers and the appointment of an inspector of stationary engines and boilers."

Further along in section twenty-three (23), under the sub-head of "streets," amend said section by striking out the third clause in said sub-head, and inserting in lieu thereof the following:

"To prevent any nuisance, obstruction, dangerous or defective place in or upon any street, alley, square, sidewalk, public place or crossing, interfering with the free use of the same, and to require a removal of such obstruction, nuisance, dangerous or defective place. And in case such nuisance, obstruction, defective or dangerous place be not removed upon the order of the Common Council of such city, to require the same to be done by their own officer or officers at the expense of the person, firm, company or corporation responsible for the same, and to place the cost of such removal upon the tax duplicate against the property of such person, firm, company or corporation as a lien against their property.

Amend the same section under the sub-head of "occupation" by inserting immediately after such sub-head the following: **"To regulate, license and tax all banks, public and private, and all agents engaged within such city in loaning money or any other business for foreign companies or corporations, and all corporations organized for profit within such city, not to exceed five hundred (\$500) dollars per year."**

Under the sub-head "miscellaneous," between sections twenty-six (26) and twenty-seven (27) insert the following two sections:

"Section —. No person shall be incompetent as a judge, justice, witness or juror by reason of his being an inhabitant, householder or freeholder of such city in any action or proceeding in which such city is a party or interested."

"Section —. The power of condemnation and right of eminent domain in such city shall be superior to that of any other corporation, and the same may be exercised as well with reference to property heretofore or hereafter dedicated to the use of

such other corporations, as it may be with reference to the property and rights of individuals."

Amend section twenty-seven (27) as follows: After the words "and investigate all departments," insert the word "boards;" after the words, "charges preferred against the same," strike out the word "and" and insert in lieu thereof the words, "It may also examine;" after the words, "into the affairs of any corporation," strike out all following thereafter in said section down to the words, "at any meeting of the body," and insert in lieu thereof the following: "Company, association, firm or person with which it may be about to enter into a contract, for the purpose of ascertaining the solvency and the ability of the same to perform such contract; and may examine into the affairs of any corporation, company, association, firm or persons, with which it may have entered into a contract, to the extent and for the purpose of ascertaining whether such contract has been and is being properly performed."

It shall have power of access to all records thereto pertaining and relevant to such matters, and power to compel the attendance of witnesses and the production of books, papers and other evidence necessary for the purpose aforesaid; further along in the same section, after the words, "under his control," strike out the words, "required to be used as evidence in any such case," and insert in lieu thereof the following words, "containing evidence pertinent to the subject being investigated, tried or inquired into."

Amend section twenty-nine (29) by adding at the close of said section the following:

"All taxes, whether excessive or not, heretofore voluntarily paid, on tracts of land of five acres or more, where used for agricultural purposes or wholly unimproved and not platted as city property, lying within the limits of such city, shall not be recovered back, but such payments are hereby legalized."

In section forty-five (45) strike out clause seven (7) thereof and insert in lieu thereof the following:

"To appoint the heads of departments, by and with the consent of the Common Council. And no appointee thus named shall occupy the place to which he shall have been appointed until such consent shall have been had: *Provided,*

however, That it shall be the duty of the Common Council to confirm or reject any nomination made within thirty days from the time that same shall have been submitted to them, and in case the Common Council shall fail within such time to confirm or reject the same, in that event such nomination so made by the Mayor shall stand without such confirmation by the Common Council, and the person so nominated shall have the same power to act as if he had been thus confirmed: *Provided, further*, That the Mayor may, at any time, by and with the consent of two-thirds of the Common Council first obtained, suspend or remove from office any such appointee."

Amend section forty-nine (49) by striking out the word "three" and insert in lieu thereof the word "five."

Strike out all of section fifty-six (56).

Amend section fifty-eight (58) so as to read as follows :

"Section 58. The Department of Public Works shall have for its head a Board of three members, to be appointed by the Mayor as herein provided, not more than two of whom shall be of the same political party. The members of such Board shall be appointed from three separate districts of such city, numbered 1, 2 and 3, the boundary lines of which shall be fixed by the Common Council, upon the taking effect of this act. Each member of such Board shall be a resident of the district from which he shall have been appointed, and in case of a removal of residence from such district, his office shall become vacant. Each member of such Board shall receive a salary at the rate of two thousand (\$2,000) dollars per year, and shall give bond with at least three sureties in the sum of twenty thousand (\$20,000) dollars, to be approved by the City Clerk. Said Board shall choose a chairman from its own members. No member of such Board shall have any authority to act on behalf of the same, except pursuant to an order of the Board, regularly made at a meeting of the same, at which meeting a majority of the members shall have been present. All actions of the Board shall be recorded by the clerk thereof, together with the record of the vote of each member.

The Board shall make rules governing the time and place of holding regular and called meetings, and for giving notice thereof, which meetings shall be public. No person shall be

eligible to a membership of such Board who is a stock-holder, officer, agent or employe of any person, company or corporation having a contract with or holding a franchise from such city or any department thereof; and any person who shall have been appointed as a member of such Board, and shall thereafter become a stock holder, officer, agent or employe of any such person, company or corporation, he shall immediately thereupon forfeit his office as a member of such Board. Such Board of Public Works shall not elect, employ, appoint or contract with any one who is related to any member of such Board, or the Mayor, or councilman within the fourth degree of consanguinity or affinity under the civil law.

After section fifty-eight (58) of said bill, insert the following section :

“Section —. That no money shall be paid, at any time, to any person claiming under a contract with such board, until such person shall have first filed with said board his statement under oath, disclosing the name of such person, directly or indirectly interested in the contract, or the proceeds or profits thereof, declaring that no person other than those named are interested, and that no person related within the fourth degree of consanguinity or affinity under the civil law, to the Mayor or any Councilman or member of such board of such city is not interested directly or indirectly in the same.”

Amend section sixty (60) of said bill, in the eighth (8) clause of said section, which relates to the power to purchase or erects, etc., and operate water-works, electric light works, etc., by striking out all of said clause after the words, “in corporations organized for either of the above purposes,” and inserting in lieu thereof the following :

“*Provided*, That none of the powers conferred by the paragraph shall be exercised, until a full declaration of such purpose shall have been reported in writing and signed by the members of said board or a majority of them; to the Common Council of such city, at least six months prior to the next succeeding election at which members of the Common Council are chosen, which declaration and report of said board shall be forthwith published by said Council, for three consecutive weeks in some newspaper of general circulation in said city.

Such declaration and report shall then remain on file in the City Clerk's office, without further action, until after said election, and shall thereafter be passed upon by the members of the Common Council chosen by the people, in the form of an ordinance, and such proposed power, as set out in said declaration and report, shall not be exercised, except pursuant to such ordinance.

Amend section seventy-four (74) of said bill by striking out all words after the words "condemnation of property and opening of streets," and insert in lieu thereof the following:

"But no such improvement shall be made upon the order of said Board, or upon the order of the Common Council, either or both, where, prior to the letting of the contract, and within twenty days after the making of such order or resolution or ordinance for such improvement, the owners residing in such city of the majority of the property upon the line of such proposed improvement remonstrant in writing against it."

Amend section ninety (90) by adding thereto the following:

"*Provided, however,* That before said Board shall order any street, alley, or any part thereof sprinkled or swept, or before they shall take any proceedings in relation thereto, there must be filed with them a petition signed by the owners residing in such city, of a majority of the property along the line of the street or alley, or any part thereof, proposed to be sprinkled or swept, requesting the same to be done. No contract shall be let for a distance of less than one square for such purpose, and in case any contract be let for the sprinkling or sweeping of any street or alley upon which any street car company shall have any of its tracks, side tracks or switches, such street car company shall be required to pay a sum bearing the same proportion to the whole cost of said sprinkling or sweeping, as the space occupied by said company bears to the entire space sprinkled or swept."

Between section ninety-three (93) and ninety-four (94) insert the following:

"Sec. — All the acts authorized to be done by said Department of Public Works, must, before being done, be authorized by ordinance or order of Common Council, and approved by the Mayor, except such acts as will not involve an expenditure exceeding five hundred (\$500) dollars."

Amend section one hundred and six (106) by striking out, after the words "it shall be unlawful for," at the beginning of said section, the following words: "Said Commissioners of Public Safety, or;" also, in the same section, after words "any person appointed by," striking out the word "them" and inserting in lieu thereof the words, "said Commissioners of Public safety."

Amend section one hundred and fifteen (115) and one hundred and sixteen (116) to read as follows: Department of Health, Plumbing and Charities.

Section 115. The Department of Health, Plumbing and Charity shall be under the control of one Health Commissioner and one Inspector of Plumbing and House Drainage, who shall be appointed by the Mayor, as provided in clause seven (7), section forty-five (45) of this act. Said Commissioner and Inspector shall each receive a salary of fifteen hundred dollars (\$1,500) per year. Said Commissioner and Inspector shall have charge of all matters affecting the public health, plumbing, and house drainage, and the enforcement of all laws pertaining thereto. Said Commissioner shall have general supervision over the City Hospital, City Dispensary, and all other city charities. He shall appoint a Superintendent of the City Dispensary, who shall have immediate control and management thereof. Said Commissioner shall keep a careful record of all his official acts, including a proper registration of births, marriages, and deaths, and such other statistical information as may be required. Said Commissioner shall nominate for appointment by the Department of Public Safety, as special sanitary officers, skilled and competent persons for live stock and meat inspectors and food inspectors, whose duty it shall be to inspect all live stock, meat, and food offered for sale for human food in the city of Indianapolis, and to attend the public markets and carefully watch over the same and prevent the selling, or offering to sell for human food, there, or in any places of business whatsoever, any and all articles unfit for use, and said Commissioner is hereby authorized to require from the Department of Public Safety special detail of policemen or firemen to execute orders of said Commissioner whenever needed. Said Department of Public Safety shall detail policemen who shall be constantly

subject to the orders of such Commissioner. In case of disagreement as to the number or duration of service of such detail of policemen or firemen, or to the number of sanitary officers required by said Commissioner, the Mayor shall decide the question. Said Inspector shall nominate for appointment by the Department of Public Safety to aid him in his work, skilled and competent persons who shall be under his supervision and direction for the carrying out of the provisions of this act, and the provisions of such ordinance or ordinances as may hereafter be passed by the Common Council relating thereto.

Section 116. The Inspector of Plumbing and House Drainage shall have supervision over all matters pertaining to plumbing and house drainage in all buildings, both public and private, erected after the passage of this act, and in all buildings, both public and private, erected prior thereto, wherein changes in, or addition to, the plumbing or drainage are necessary to health. He shall keep a full record of all his official acts done under the provisions of this law, or under the provisions of any ordinance passed by the Common Council, more fully prescribing his duties. For the better enforcement of the purposes of this section the said Inspector shall prepare and submit to Common Council an ordinance providing for the licensing and registration of plumbers, the inspection of plumbing and house drainage, prescribing in detail the powers and duties of said inspector, and providing for penalties, not to exceed a fine of one hundred dollars (\$100) for any violation of the same.

Said Health Commissioner shall also prepare an ordinance for securing the proper registration of births, marriages and deaths, and such other statistical information, and providing for such other matters pertaining to his duties as he shall deem proper; for the removal and burial of the dead, the maintenance of an ambulance service for the speedy removal of sick and needy persons, for the efficient regulation of the City Hospital and City Dispensary, fixing the salaries of its officers and employes, the destruction and fumigation of infected property or premises, with penalties for their violation, not exceeding a fine of one hundred dollars (\$100). Such ordinances shall be submitted to the Common Council for passage as other ordinances. The person appointed as the Inspector of Plumbing

and House Drainage shall be a practical plumber of ten year's experience. The Health Commissioner shall be a licensed and regular practitioner of medicine and surgery of ten year's experience.

Amend section one hundred and thirty (130) by adding at the close of said section, the following :

"Provided, however, That where any offense is covered by a State statute and also by an ordinance of such city, no person arrested for such offense shall be tried or punished under both such statute and such ordinance, but a trial of such offender may be had, either under such statute or such ordinance."

Wherever the words "Board of Alderman" occurs in said bill, as officers under the provisions of this act, strike the same out.

Wherever the words "daily newspaper" or "daily newspaper of general circulation," occur in this bill, strike out the same and insert in lieu thereof, the words, "any newspaper of general circulation in such city."

That when said bill be so amended, and the sections renumbered in consecutive order, your committee recommend that said bill do pass.

W. C. THOMPSON,
Chairman.

On motion of Senator Magee the bill was read a second time by title and the majority and minority reports thereon were ordered printed, laid on the Senator's desks and made the special order for Monday afternoon at 3 o'clock.

The following minority report on Engrossed House Bill No. 44 was also submitted :

MR. PRESIDENT:

The undersigned members of the Committee on the Affairs of the City of Indianapolis, having under consideration Engrossed House Bill No. 44, introduced by Representative McCullough, beg leave to report the same back with the recommendation that said bill be amended as follows, viz.:

Strike out section 56.

Strike out the words "and approved by the council" in the two places where they appear in section 58. Strike out the words "eighteen hundred dollars (\$1,800) which may be increased by ordinance to a salary not exceeding twenty-five hundred dollars (\$2,500)" where the same appears in section 59 and insert in lieu thereof the words "twenty-five hundred dollars." And the undersigned members of your committee recommend that when said bill be so amended it do pass.

O. Z. HUBBELL,
JOHN YARMAN.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Act numbered 137, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

The Lieutenant-Governor announced that he had signed Enrolled Senate Act No. 137.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report, that after Enrolled Senate Acts numbered 137 were signed by the presiding officers of both houses, they delivered said act to the Governor for his approval, this February 27th, 1891.

F. M. GRIFFITH,
Chairman.

Senator Hayden moved that when the Senate adjourn it be until Monday morning at 11 o'clock.

The motion prevailed.

Engrossed House Bill No. 570, together with the report of the committee thereon, was read a second time,

The report of the committee was concurred in, and the bill passed to a third reading.

On motion of Senator Shockney the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

MONDAY MORNING.

MARCH 2, 1891.

Pursuant to adjournment, the Senate convened at 9 o'clock A. M., Lieutenant Governor Chase in the chair.

Prayer was offered by President Chase.

After the reading of a portion of the Journal, on motion of Senator Ellison, the further reading of the same was dispensed with.

On motion of Senator Shockney, Engrossed House Bill No. 454 was made the special order for to-morrow morning at 10 o'clock.

Engrossed House Bill No. 356 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Foley, French, Grimes, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee, Morgan, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 35.

Those voting in the negative were :

Senators Carver and Gillman. Total, 2.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Ewing, chairman of the Committee on Elections, presented the following report on the contest case of Barnes vs. Loveland :

MILO W. BARNES, Contestor,	} In the Senate of the State of Indiana.
vs.	
ROBERT J. LOVELAND, Contestee.	

MR. PRESIDENT :

Your Committee on Elections would respectfully report that they have had under consideration the case of Milo W. Barnes vs. Robert J. Loveland, for contest of the election of said Loveland to the Senate of the State of Indiana from the counties of Howard and Miami, and after consideration beg leave to submit the following report, to-wit :

We find that Milo W. Barnes, a qualified voter of the county of Howard, was the regular nominee of the Democratic party for the office of Senator for the senatorial district composed of the said county of Howard and the county of Miami, and as such was duly voted for at the election held on the 4th day of November, 1890; that Robert J. Loveland was a duly qualified elector of the county of Miami, and regular nominee of the Republican party for the office of Senator from the said senatorial district, and as such was voted for at the general election held on the 4th day of November, 1890; that at said election said Milo W. Barnes, in said district, upon the face of the returns, received 5,561 votes, and the said Robert J. Loveland received 5,579 votes, as shown by the face of the returns, leaving a majority of eighteen votes in favor of said Loveland; that after said election and within the time prescribed by statute of the State of Indiana, the said Milo W. Barnes regularly commenced a proceeding and contest against the said Robert J. Loveland in said district, claiming that he was the legally elected Senator therefor; that said Barnes sub-

sequently, and several weeks before the convening of this Senate, dismissed his said action to contest of the election of the said Loveland and abandoned said claim; that said cause was never reinstated or recommenced, and no further steps or proceedings were ever taken therein; that on the — day of —, 1891, after the said Robert J. Loveland had presented his credentials, been sworn in without protest, and while he was acting as a member of this body, the said Milo W. Barnes caused to be filed a petition to this Senate asking that this body determine that he and not the said Robert J. Loveland was the duly elected Senator from said district, to which said Robert J. Loveland filed his return, the facts contained in which were admitted; that subsequently on the 9th day of February, 1891, the said Barnes, as an auxiliary to his action of contest, caused to be filed a petition to this Senate signed by his attorney and another, praying that said Barnes be declared the duly elected Senator herein from said district.

We, therefore, conclude that said contestor had two modes under the law to contest the seat of the said Loveland in this Senate, viz.: The constitutional mode, and the mode prescribed by statute; that said proceeding was a proceeding inter parties—an action in which said Barnes was plaintiff and said Loveland defendant; that said Barnes elected to proceed under the statutory mode, in which the Court before whom the cause was pending had complete jurisdiction to hear and determine said cause, as prescribed by statute; that the said Barnes, by the dismissal of said action and failure to recommence the same in the Court within the time prescribed by statute, and the further failure to file any verified statement or petition in this Senate within a reasonable time was not diligent, but was guilty of such laches; that this Senate, at this time should not, in good conscience, assume jurisdiction of said case and hear and determine the same. He, by his negligence and laches, should be bound by them because he incurred them. The relation of the parties to this contest are analogous to those of parties in suits at law and equity, and not analogous to a case of a protest by an elector in the said senatorial district.

We, therefore, recommend that the further consideration of this case be indefinitely postponed, all of which is respectfully submitted.

Senator Ewing moved that the report be concurred in.

Pending the adoption of the report of the Committee on Elections, Senator Burke said:

"It was a cowardly act of the committee to make such a report."

Senator Ewing demanded that the language of the Senator from Clark be taken down.

The President ordered the language of the Senator from Clark taken down.

Senator Burke offered the following resolution as a substitute for the report of the Committee on Elections:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Resolved, That it is the judgment of the Senate that Robert J. Loveland was elected Senator from the counties of Howard and Miami.

Senator Ewing moved to reject the resolution offered by Senator Burke.

The ayes and noes being demanded by Senators Ewing and Burke.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Chandler, Clemans, Ewing, Foley, French, Griffith, Hayden, Holcomb, Jones, Magee, Smith, Thompson of Pulaski, and Wiggs. Total, 15.

Those voting in the negative were:

Senators Boyd, Burke, Carver, Caster, Ellison, Gilman, Grose, Hanley, Harlan, Hays, Howard, Kennedy, Kerth, Koepelke, Lynn, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, and Thompson of Marion. Total, 23.

So the resolution was not rejected.

The question recurring upon Senator Burke's resolution, the same was adopted.

The special order for this hour (11:36 A. M.), the consideration of the report of the conference committee on Engrossed House Bill No. 487, Senator Howard moved that the report of the committee be concurred in, and on that motion he demanded the previous question.

The question being, Shall the Senate second the demand for the previous question?

The demand was seconded by the Senate.

The question then being, Shall the main question be now put?

The same was agreed to.

The question recurring on the adoption of the report of the conference committee on Engrossed House Bill No. 487, and the ayes and noes being demanded by Senators Burke and Howard.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Gilman, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Howard, Jones, Kennedy, Kerth, Kopelke, Loveland, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 37.

Those voting in the negative were :

Senators Burke, Holcomb, Lynn and Sweeney. Total, 4.

So the report was concurred in.

Senator Burke, chairman of the Committee on Judiciary, made the following report on Senate Bill 359 :

MR. PRESIDENT :

I am directed by the Judiciary Committee, to whom was referred Senate Bill No. 359, introduced by Senator Hubbell, to report the same back with the recommendation that the bill pass.

FRANK B. BURKE,
Chairman.

The report of the committee was concurred in, and Senate Bill No. 359 was read a second time and ordered engrossed.

The following majority report was presented on Engrossed House Bill No. 620:

MR. PRESIDENT:

The undersigned, constituting a majority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 620, introduced by Representative Callicott, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

JOHN F. McHUGH,
O. Z. HUBBELL,
J. KOPELKE.

Also, the following minority report was presented:

MR. PRESIDENT:

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 620, introduced by Representative Callicott, beg leave to submit a report on said bill, recommending that it do pass.

FRANK B. BURKE,
F. M. GRIFFITH.

Senator Burke moved to concur in the minority report.

Senator Shockney moved to reject Senator Burke's motion, which motion prevailed.

On motion of Senator Hanley the Senate adjourned.

MONDAY AFTERNOON.

MARCH 2, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant Governor Chase in the chair.

Senator Magee, chairman of the Committee on Finance, presented the following report on Engrossed House Bill No. 74:

MR. PRESIDENT :

Your Committee on Finance, having had under consideration Engrossed House Bill No. 74, would recommend the same do pass.

MAGEE,
Chairman.

The report was concurred in.

Senator Magee moved that the constitutional rule be suspended, Engrossed House Bill No. 74 be read a second time by title, read a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Caster, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Grimes, Hanley, Hobson, Howard, Hubbell, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

Senator Mount voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Carver, Chandler, Clemans, Ellison, Ewing, Francis, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hobson, Holcomb, Hubbell, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

Those voting in the negative were :

Senators Caster, Grose and Hays. Total, 3.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Ewing presented the following report :

MR. PRESIDENT :

Your Committee on World's Fair, to whom was referred the resolution of the Indiana Society of Civil Engineers, introduced by Senator Howard, would respectfully report that they have prepared a bill, as prayed for in said resolution, which bill has been passed by the Senate.

EWING,
Chairman.

The report was concurred in.

Senator Ewing, chairman of the Committee on World's Fair, also offered the following report on Senate Bill No. 26 :

MR. PRESIDENT :

Your Committee on World's Fair, to whom was referred Senate Bill No. 26, introduced by Senator Grose, would respectfully report that the chairman of this committee, acting under the instructions of the committee, has prepared and introduced a bill for an act for the creation of a Commission to manage the interests of the State of Indiana at the World's Columbian Exposition, to be held in the city of Chicago, and making an appropriation therefor, which act has passed this Senate, and therefore would respectfully report with the recommendation that the further consideration of said bill be indefinitely postponed.

EWING,
Chairman.

The report was concurred in.

Senator Ewing, chairman of the same committee, also offered the following report on Senate Bill No. 2 :

MR. PRESIDENT:

Your Committee on World's Fair, to whom was referred Senate Bill No. 2, introduced by Senator Boyd, would respectfully report that the chairman of this committee, acting under the instructions of the committee, has prepared and introduced a bill for an act for the creation of a commission to manage the interests of the State of Indiana at the World's Columbian Exposition, to be held in the city of Chicago, and making an appropriation therefor, which act has passed this Senate, and therefore would respectfully report with the recommendation that the further consideration of said bill be indefinitely postponed.

EWING,
Chairman.

The report was concurred in.

Senator Ewing, chairman of the same committee, also offered the following report:

MR. PRESIDENT:

Your Committee on World's Fair, to whom was referred the resolution from the Elkhart County Farmer's Institute, introduced by Senator Hubbell, would respectfully report that they have prepared a bill as prayed for in said resolution, which bill has been passed by this Senate.

EWING,
Chairman.

The report was concurred in.

Senator Ewing, chairman of the same committee, also offered the following report:

MR. PRESIDENT:

Your Committee on World's Fair, to whom was referred a resolution from the Vigo Farmer's Institute, introduced by Senator Grimes, would respectfully report that they have prepared a bill as prayed for in said resolution, which bill has been passed by this Senate.

EWING,
Chairman.

The report was concurred in.

Senator Ewing, chairman of the same committee, also offered the following report:

MR. PRESIDENT:

Your Committee on World's Fair, to whom was referred Senate Resolution No. 5, introduced by Senator Hayden, would respectfully report that they have prepared a bill as prayed for in said resolution, which bill has passed this Senate.

EWING,
Chairman.

The report was concurred in.

Senator Ewing, chairman of the same committee, also offered the following report on Senate Bill No. 358:

MR. PRESIDENT:

Your Committee on World's Fair, to whom was referred Senate Bill No. 358, introduced by Senator Thompson, of Pualaski, would respectfully report that its chairman, under the direction of the committee, prepared and introduced a bill for the creation of a Commission to represent the State of Indiana at the Columbian Exposition and World's Fair, which bill has passed this Senate, and further, that for the reason that said Senate Bill No. 358 provides for extravagant expenditures of money in salaries of officers, I recommend that its further consideration be indefinitely postponed.

EWING,
Chairman.

The report was concurred in.

Senator Burke, chairman Committee on Judiciary, presented the following report on Senate Bill No. 367:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 367, introduced by Senator Hubbell, beg leave to report the same back with the recommendation that the bill pass.

BURKE,
Chairman.

The report was concurred in, and the bill was read a second time and ordered engrossed.

Senator Ellison offered the following memorial :

LOGANSPOUT, IND., March 1, 1891.

Logan Division No. 20, of the Brotherhood of Locomotive Engineers, in regular session assembled, on the above date, do hereby sustain the action of our legislative board now at Indianapolis, and request of them that they secure the passage of bills 22 and 454 by all honorable means in their power, and that they call on the Senator from our district and present these resolutions with our signatures attached.

(Signed.)

R. G. GREEN,
and numerous others.

Referred to Committee on Labor.

The special order for this hour being the reconsideration of the vote on Senate Bill No. 195, Senator Clemens moved that the vote taken on Senate Bill No. 195 be reconsidered.

The ayes and noes being demanded by Senators Byrd and Clemans.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Caster, Clemans, Foley, Gilman, Grose, Hanley, Harlan, Hayden, Hobson, Howard, Hubbell, Hudson, Jones, Kopelke, Magee, Morgan, Mount, Thompson of Marion and Yaryan. Total, 22.

Those voting in the negative were :

Senators Byrd, Carver, Chandler, Ellison, French, Fulk, Griffith, Grimes, Holcomb, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski and Wiggs. Total, 23.

So the motion to reconsider was lost.

Engrossed Senate Bill No. 271 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Grimes, Harlan, Hayden, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 36.

Those voting in the negative were.

Senators Akin, Carver, Hanley, Hays. Total, 4.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Burke moved that the Senate go into committee of the whole for the further consideration of House Bill No. 275.

The motion prevailed, and the Senate went into committee of the whole, with Senator Burke as Chairman.

President Chase called the Senate to order at 3 o'clock, and Senator Burke, chairman of the committee of the whole, presented the following report:

MR. PRESIDENT:

I am directed by the committee of the whole Senate to inform the Senate that the committee have referred House Bill No. 275 to a special committee consisting of Senators Howard, Griffith and Akin, with instructions to report to the Senate.

BURKE,
Chairman.

The report was concurred in.

Senator Mount offered the following memorial:

To the General Assembly of the State of Indiana:

We, the residents of Westfield, County of Hamilton, respectfully ask your honorable body to give the people of Indiana a law suppressing the sale of all impure literature, including police papers and stories of crime and criminals.

J. M. BRAY,
and 200 others.

Referred to Committee on Education.

Senator Mount offered the following resolution :

MR. PRESIDENT :

I offer the following preamble and resolution, and move its adoption :

WHEREAS, On the 22d day of January, Senate Bill No. 163 was introduced and referred to Committee on Education. Said bill was for an act prohibiting the printing and circulating of obscene and impure literature ; and,

WHEREAS, On the 23d day of January, Senate Bill No. 172 was also introduced and referred to the same committee, a bill which provides for the enumeration and listing of school children for school revenue purposes : and,

WHEREAS, The session is drawing to a close, and said bills have not been reported back to the Senate ; therefore,

Resolved, That the Committee on Education be, and they are hereby instructed to report upon said bills to-morrow morning at 9 o'clock.

The question being on the adoption of the resolution, the ayes and noes being demanded.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Carver, Caster, Clemons, Ellison, Fulk, Gilman, Grose, Hanley, Hays, Hobson, Hubbell, Kennedy, Magee, Mount, Shanks, Shockney, Thompson of Marion, Thompson of Pulaski and Yaryan. Total, 20.

Those voting in the negative were :

Senators Burke, Byrd, Ewing, Foley, French, Grimes, Hayden, Holcomb, Jackson, Jones, Kopelke, Lynn, McGregor, McHugh, Morgan, Sweeny, Thompson of Huntington and Wiggs. Total, 18.

Senator Griffith, chairman of Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Acts numbered 179 and 192, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Enrolled Senate Acts Nos. 179 and 192.

Senator Griffith, chairman of Committee on Enrolled Bills, also made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report, that after Enrolled Senate Acts numbered 179 and 192 were signed by the presiding officers of both houses, they delivered said acts to the Governor for his approval, this March 2, 1891.

F. M. GRIFFITH,
Chairman.

Senator Byrd offered the following resolution :

MR. PRESIDENT :

I move that Senators Boyd and Shockney be appointed as members of the special committee to whom House Bill No. 275 is committed.

The Chair ruled the resolution out of order.

Senator Burke appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Mount, Shockney, Thompson of Pulaski, and Yaryan. Total, 15.

Those voting in the negative were :

Senators Akin, Burke, Byrd, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn,

McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Wiggs. Total, 32.

So the decision of the Chair was not sustained.

The question recurring on the adoption of Senator Byrd's resolution, the same was adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 170, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 131 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 596 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 653 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 528 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 518 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 540, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, IND., March 2, 1891. }

Hon. Ira J. Chase, President of the Senate :

SIR—I return herewith without my approval Senate Bill No. 137, being, “an act to amend sections 1 and 11 of an act entitled, an act providing for a Metropolitan Police in all cities of twenty-nine thousand or more inhabitants and for the appointment of a Board of Metropolitan Police Commissioners for such cities, and defining their duties and prescribing their powers; providing for the appointment of officers, patrolmen and other members of the Metropolitan Police force of such cities, by such Board, and the manner of paying them for their services, and providing for the abolition of existing

Board of Police and police forces in such cities and for the abolition of the office of City Marshal in such cities, and providing for such Metropolitan Police and for such Board of Police Commissioners in all cities having an enumeration of fourteen thousand or more children between the ages of six and twenty one years, and declaring an emergency. Reconsidered March 5, 1883, and again passed notwithstanding the objection of the Governor."

The brief space of time allowed me during this session and other press of business, will not permit me to make an argument on the question of the unconstitutionality of this bill.

The act of March 5, 1883, which this bill proposes to amend was passed over the veto of Governor Porter, and I am not aware of any opinion of the Supreme Court of this State directly touching its constitutionality; but, in the rulings of that Court, in the cases of the *State ex rel. Jamison, et al. v. Denny, Mayor*; *The City of Evansville, et al. v. ex rel. Bleut, et al*; *State ex rel. Holt et al. v. Denny, Mayor et al.*, decided by the Supreme Court in 1888, and repeated in the 118 Ind. Reports, page 332 to 482 inclusive, the questions involved in this bill are embraced, and in my opinion fully settled as unconstitutional for the following reasons:

First. In cases like this bill presents, the Legislature has no power to deprive the people of the right to select their own officers or rulers.

Second. The act of 1883, and the amendment in this bill purport to be general laws, although they are well known to be of a local character. This general character is assumed to avoid the effect section 22, article 4 of the Constitution. Had these acts contained the names of Indianapolis, Evansville and Terre Haute there would be no doubt of their local character and unconstitutionality, and the attempt to avoid the plain provisions of the Constitution by the number of inhabitants in the one case, and the number of children in the other, is a mere quibble and can not in the minds of honest men, transformed them into anything else than local laws which are clearly prohibited.

Third. I do not believe that it is within the power of the Legislature to subject the functions of the Executive to the

control of any other officers of the State. By this bill the Board of Metropolitan Police sought to be created are to be appointed by the Governor, Secretary of State, Treasurer of State and Auditor of State, or a majority of them, thus nullifying the constitutional power of appointment of the Executive.

Fourth. The amendment proposed by this bill virtually denies the electors of the cities that may come within its scope to take any part in the selection of the Board of Police Commissioners, but assumes that the Legislature has the right to empower State officers to make that election or selection for them. In a message to the Legislature, at its session in 1889, I said: "If the people of a large city can be deprived of their inherent right to manage their own affairs, can not the power that paralyzes a part extend its action and embrace the whole State?"

It can be no excuse for the assumption of these enormous powers by the General Assembly that it is for the betterment of this city, and that those officers heretofore chosen by their people have abused their power. Such an argument goes too far, and might lead to a radical change of our State government.

ALVIN P. HOVEY,
Governor.

Senator McHugh offered the following motion:

MR. PRESIDENT:

I move that the message of the Governor and his objections to Senate Bill No. 137 be now spread in full upon the Journal of the Senate; that said bill be reconsidered and passed, notwithstanding the objections of the Governor thereto.

And upon that motion he demanded the previous question.

The question being, Shall the Senate second the demand for the previous question?

The ayes and noes being demanded by Senators Shockney and Hays.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Hudson, Jackson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Wiggs. Total, 29.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Howard, Hubbell, Kennedy, Loveland, Magee, Mount, Shockney and Yaryan. Total, 18.

So the Senate seconded the demand for the previous question.

The question then being, Shall the main question be now put?

The same was agreed to.

The question being, Shall Senate Bill No. 137 be passed notwithstanding the Governor's objections?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Griffith, Grimes, Hayden, Holcomb, Hudson, Jackson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 30.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Clemans, Fulk, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Howard, Hubbell, Kennedy, Loveland, Mount, Shockney and Yaryan. Total, 18.

So the bill passed notwithstanding the Governor's objections.

Enrolled Act No. 137, Senate.

Senate Enrolled Act No. 137 was returned from the Governor to the Senate, with his message and objections thereto, March 2, 1891.

Thereupon it was ordered by the Senate that the Governor's message and his objections to said bill be read and spread upon

the Journal of the Senate, which was done; that said bill be reconsidered by the Senate and passed notwithstanding the objections of the Governor thereto, which was done.

Thereupon the President of the Senate stated the question to be, Shall the bill pass notwithstanding the objections of the Governor thereto?

And the roll being called, the vote resulted as follows:

Ayes, 80; noes, 18.

And the President of the Senate then and there announced the result, and stated that said bill had passed the Senate notwithstanding the objections of the Governor.

All of which appears of record in the Journal of the Senate of said date.

Dated this 2d day of March, 1891.

D. H. FENTON,
Secretary of the Senate.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 72, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 217, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 185, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 122, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 612, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 611, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 595, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 130, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 259 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 28, 1891. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 28, the same being :

An act creating an Appellate Court.

No. 201 : To establish certain provisions, respecting private corporations or companies creating and existing at or before Nov. 1, 1850.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

Senator Griffith, chairman of Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled House Act No. 355, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

The President announced that he had signed House Act No 355.

The following message was received from the House.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 147, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 74, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 657, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 656, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 543, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 488, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 23, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 176, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The special order for this hour (3 o'clock P. M.) being the consideration of the majority and minority reports on Engrossed House Bill No. 44, the same was proceeded with.

Senator Hudson moved to concur in the majority report.

Senator Magee moved to substitute the minority for the majority report.

Senator Burke moved that the reading of the reports be suspended, and that the sections be considered seriatim.

The motion prevailed.

Senator Magee moved that when the Senate adjourn it adjourn to meet at 7:35 o'clock.

Senator Burke moved to lay the motion of Senator Magee on the table.

Which motion was lost.

Senator Burke moved to indefinitely postpone Senator Magee's motion on adjournment.

Which motion was lost.

Senator Loveland moved that the Senate do now adjourn.

The ayes and noes being demanded by Senators Akin and Boyd.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Carver, Caster, Clemans, Gilman, Grose, Hanley, Hayden, Hays, Hubbell, Hudson, Loveland, Sweeney, Thompson of Huntington, and Yaryan: Total, 16.

Those voting in the negative were :

Senators Akin, Byrd, Chandler, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Harlan, Hobson, Holland, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shaiks, Shockney, Thompson of Marion, Thompson of Pulaski and Wiggs. Total, 30.

So the motion to adjourn did not prevail.

The question recurring on Senator Magee's motion to adjourn to 7:35.

Senator Burke moved to amend Senator Magee's motion, by the Senate to stay in session until the conclusion of the adoption or rejection of the minority report of the committee on Engrossed House Bill No. 44.

Which motion prevailed.

Senator Magee demanded the previous question, on a motion to adopt the minority report.

The question being, Shall the Senate second the demand for the previous question?

The ayes and noes being demanded by Senators Burke and Magee.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Chandler, Ellison, French, Fulk, Gilman, Griffith, Grimes, Hayden, Hays, Hobson, Howard, Hubbell, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Mount, Shanks, Shockney, Sweeney, Thompson of Pulaski, Wiggs. Total, 31.

Those voting in the negative were:

Senators Boyd, Burke, Caster, Ewing, Foley, Grose, Harlan, Holcomb, Hudson, Thompson of Marion, Thompson of Huntington. Total, 11.

So the demand for the previous question was seconded by the Senate.

The question being, Shall the main question be now put?

The same was agreed to.

The question recurring on the adoption of the minority report.

The ayes and noes being demanded by Senators Magee and Howard.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Fulk, Gilman, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Howard, Hubbell, Jackson, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee, Moore, Mount, Shockney, Thompson of Pulaski, and Yaryan. Total, 29.

Those voting in the negative were:

Senators Burke, Ellison, Ewing, Foley, French, Griffith, Grimes, Holcomb, Hudson, Jones, Kennedy, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Wiggs. Total, 18.

So the minority report was adopted.

Senator Howard moved that the constitutional rule be suspended, the amendments considered engrossed, the bill read a third time by sections and put upon its passage, and on this motion he demanded the previous question.

The question being, Shall the Senate second the demand for the previous question?

The ayes and noes being demanded by Senators Howard and Fulk.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Carver, Caster, Clemans, Ellison, French, Fulk, Gilman, Grose, Hauley, Harlan, Hayden, Hays, Hobson, Howard, Jackson, Jones, Kopelke, Loveland, Lynn, McGregor, Magee, Moore, Mount, Shanks, Shockney, Thompson of Pulaski, Wiggs, Yaryan. Total, 29.

Those voting in the negative were:

Senators Akin, Burke, Chandler, Ewing, Foley, Griffith, Grimes, Holcomb, Hubbell, Hudson, Kennedy, Kerth, McHugh, Morgan, Smith, Sweeney, Thompson of Marion, Thompson of Huntington. Total, 18.

So the demand for the previous question was seconded by the Senate.

On motion of Senator Howard the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

TUESDAY MORNING.

MARCH 3, 1891.

The Senate convened at 9 o'clock A. M.

Lieutenant-Governor Chase in the chair.

Prayer was offered by Senator Fulk.

After the reading of a portion of the Journal, on motion of Senator McHugh, the further reading of the same was dispensed with.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, offered the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills would report that after Enrolled House Act numbered 355 was signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this, March 3, 1891.

F. M. GRIFFITH,
Chairman.

Senator Griffith, chairman Committee on Enrolled Bills, presented the following report.

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom were referred Enrolled Senate Acts numbered 192, 52, 212 and 223, have carefully examined the same, and find the same correctly enrolled.

GRIFFITH,
Chairman.

President Chase announced that he had signed Enrolled Senate Acts Nos. 192, 52, 212 and 223.

Senator Griffith also made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report that after Enrolled Senate Acts numbered 192, 52, 212 and 223 were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this 3d day of March, 1891.

Griffith,
Chairman.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled House Acts numbered 391 and 486, have carefully examined the same and find the same correctly enrolled.

F. M. Griffith,
Chairman.

The Lieutenant-Governor reported that he had signed Enrolled House Bills Nos. 391 and 486.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report that after Enrolled House Acts numbered 391 and 486 were signed by the presiding officers of both houses they delivered said acts to the Governor for his approval, this March 3, 1891.

F. M. Griffith,
Chairman.

Senator Griffith, chairman Committee on Enrolled Bills, presented the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom were referred Enrolled Senate Acts numbered 74, 147, 23, 217, 185, 176 and 72, have carefully examined the same and find the same correctly enrolled.

F. M. Griffith,
Chairman.

President Chase announced that he had signed Enrolled Senate Acts Nos. 74, 147, 23, 217, 185, 176 and 72.

Senator Griffith also presented the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that after Enrolled Senate Acts numbered 74, 147, 23, 217, 185, 176 and 72 were signed by the presiding officers of both houses they delivered said acts to the Governor for his approval, this 3d day of March, 1891.

F. M. GRIFFITH,
Chairman.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 70, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 578, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 424, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 448, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 504, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 509, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 137, notwithstanding the objections of the Governor thereto, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

As unfinished business from yesterday the consideration of Engrossed House Bill No. 44.

The question being, Shall the main question be now put?

The same was agreed to.

The question then being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Fulk, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Howard, Hubbell, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn; McGregor, Magee, Moore, Mount, Thompson of Pulaski, Wiggs and Yaryan. Total, 27.

Those voting in the negative were:

Senators Burke, Chandler, Ellison, Ewing, Foley, Francis, French, Gilman, Griffith, Grimes, Holcomb, Hudson, Jackson, McHugh, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington. Total, 20.

So for want of a constitutional majority the constitutional rule was not suspended.

Senator Burke offered the following amendment to Engrossed House Bill No. 44:

MR. PRESIDENT:

I offer the following amendment to Engrossed House Bill No. 44, and move its adoption:

Amend section sixty (60) of said bill, in the eighth (8) clause of said section, which relates to the power to purchase or erect, etc., and operate water-works, electric light works, etc., by striking out all of said clause after the words "incorporations organized for either of the above purposes" and inserting in lieu thereof the following:

"Provided, That none of the powers conferred by this paragraph shall be exercised until a full declaration of such purpose shall have been reported, in writing, and signed by the members of said board, or a majority of them, to the Common Council of such city, at least six months prior to the next succeeding election at which members of the Common Council are chosen, which declaration and report of said board shall be forthwith published by said Council for three consecutive weeks in some newspaper of general circulation in said city. Such declaration and report shall then remain on file in the

City Clerk's office, without further action, until after said election, and shall thereafter be passed upon by the members of the Common Council then chosen by the people, in the form of an ordinance, and such proposed power, as set out in said declaration and report, shall not be exercised except pursuant to such ordinance.

The Chair ruled the amendment out of order.

Senator Burke appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Clemans, French, Fulk, Gilman, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Those voting in the negative were:

Senators Burke, Chandler, Ewing, Foley, Francis, Griffith, Grimes, Hudson, McHugh, Morgan, Smith, Thompson of Marion, and Thompson of Huntington. Total, 13.

So the decision of the Chair was sustained.

The question now being, Shall the amendment be considered engrossed, the bill read a third time by sections and put upon its passage?

The same prevailed, and Engrossed House Bill No. 44 was then read a third time.

On motion of Senator McHugh the Senate adjourned.

TUESDAY AFTERNOON.

MARCH 3, 1891.

The Senate convened at 2 o'clock p. m., Lieutenant-Governor Chase in the chair.

The question being on the passage of Engrossed House Bill No. 44.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Grimes, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 42.

Those voting in the negative were:

Senators Burke, Ewing and Thompson of Marion. Total, 3.

So the bill passed.

Senator Magee moved to reconsider the vote just taken, and to lay that motion on the table.

Which motion prevailed.

Senator Burke offered the following protest:

Be it remembered, that upon this day, the Senate having under consideration Engrossed House Bill No. 44, the same being commonly known as the City Charter of Indianapolis, and the question being "Shall the minority report of the Senate committee be substituted for the majority report," and Senators Timothy E. Howard and Rufus Magee, the friends of said bill, having stated upon the floor of the Senate that those desiring to propose amendments to said bill should have an opportunity so to do, and acting in good faith the minority report was adopted; and immediately thereafter Timothy E. Howard, a Senator from the county of St. Joseph, moved that

said bill be placed upon its passage, and upon that motion demanded the previous question, whereby, under the rules of the Senate, no amendments could be offered.

Now, therefore, because the power and authority vested in the Board of Public Works is unlimited, and if exercised in a careless and negligent way, or abused, will result in absolute financial ruin to the interest and people of such city, and because if the amendment offered to section 60 had been considered by the Senate it would have been adopted, and the people of such city would have an opportunity to determine at an election whether the contracts authorized in section 60 should be entered into, and because the proper amendment was defeated by bad faith, I do most earnestly and solemnly object, and protest against the passage of said bill without such amendment.

FRANK B. BURKE,

Senator from Clark, Scott and Jennings Counties.

Senator Ewing offered the following amendment to the title of Engrossed House Bill No. 44, and moved its adoption:

MR. PRESIDENT:

I move to strike out the title to House Bill No. 44, and insert in lieu thereof the following:

“An act for a charter for the City of Indianapolis.”

On motion of Senator Howard the amendment was rejected.

The title to Engrossed House Bill No. 44 was ordered to stand as the title to the act.

Senator Fulk moved to take up Engrossed House Bill No. 454, and on that motion he demanded the previous question.

The question being, Shall the Senate second the demand for the previous question?

The demand was seconded by the Senate.

The question then being, Shall the main question be now put?

The same was agreed to.

Engrossed House Bill No. 454 was then read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Chandler, Clemans, Ewing, Francis, Fulk, Gilman, Griffith, Hayden, Hays, Hobson, Holcomb, Hubbell, Jackson, Jones, Kerth, Kopelke, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Huntington and Wiggs. • Total, 27.

Those voting in the negative were:

Senators Boyd, Byrd, Carver, Caster, Ellison, Foley, French, Grimes, Grose, Hanley, Harlan, Howard, Hudson, Kennedy, Loveland, Lynn, Mount, Shockney, Thompson of Pulaski, and Yaryan. Total, 20.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Magee presented the following notice:

MR. PRESIDENT:

I give notice that I will move to reconsider the action of the Senate on Engrossed House Bill No. 454, at 9½ o'clock tomorrow.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 581, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 400, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 659, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Engrossed House Bill No. 656, entitled :

An act to amend the first section of an act entitled an act to amend an act entitled "An act to authorize County Commissioners to provide by purchase suitable asylums for the use and occupancy of children who are proper charges upon the counties, limiting the amount to be so expended, defining who shall have the management of such asylums, who shall be received therein, providing for their support, and declaring an emergency," approved March 1, 1881, being section 3511 of the Revised Statutes of 1881, so as to permit the Commissioners of different counties to unite in the purchase of grounds and buildings for an orphan's home, and declaring an emergency, approved March 25, 1885, and to legalize all acts heretofore done under and by virtue of an act entitled an act to amend section 1 of an act entitled "An act to authorize the County Commissioners to provide by purchase suitable asylums for the use and occupancy of children who are proper charges upon the counties, limiting the amount to be expended, defining who shall have the management of such asylum, who shall be received therein, and providing for their support," and numbered section 3511 in Revised Statutes of 1881, approved March 1, 1881, and declaring an emergency. Approved March 6, 1889.

Read first time.

Senator Ewing moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The question being, on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Kopelke, Loveland, Lynn, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

Senator Kennedy voting in the negative.

So the constitutional rule was suspended, Engrossed House Bill No. 656 read a second time by title, and a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Francis, French, Fulk, Gilman, Grimes, Grose, Hanley, Hays, Hobson, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Mount, Moore, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, and Yaryan. Total, 40.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Griffith, chairman of Special Committee on Engrossed House Bill No. 275, presented the following majority report:

MR. PRESIDENT:

A majority of your Special Committee, to whom was referred Engrossed House Bill No. 275, for the purpose of amending the same, beg leave to report, and recommend the following amendments:

Amend said bill by striking out section 20 of said bill.

Also, amend by striking out all after the words "section 136" and insert the following:

Section 136. The provisions of this act shall not apply as to county officers until June 1st, 1892.

Amend by adding the following after section 19.

Section 20. The foregoing provisions of this act shall not go into effect till the first day of June, 1892, and till such time, the fees and salaries of State officers shall remain as fixed by existing laws. The number and compensation of the deputies, clerks and assistants of State officers shall remain and be as now provided by law.

Amend section 1 by adding "the pay of the Lieutenant-Governor, in addition to his pay as President of the Senate, shall be one thousand dollars per annum from and after April 1, 1891."

Amend section 10 by striking out the word "twelve," in line 3, and insert in lieu thereof the word "fifteen."

Also, by inserting after the word "year," at the end of line 3, the following: "The salary of Assistant Inspector of Mines shall be one thousand dollars per year."

Amend section 11 by striking out the words "fifteen hundred," and insert in lieu thereof the words "two thousand."

Amend section 13 by striking out the words "four thousand" and insert in lieu thereof "forty-five hundred."

Amend by striking out section 19 and inserting in lieu thereof the following:

Section 19. It shall be the duty of the Clerk of the Supreme Court to tax and keep an accurate account, in proper fee book, of all fees and charges of his office, as is required by this act, or any other laws of the State, for any and all services performed by him, or by his deputies, clerks or assistants, and on the first Monday in January, and the first Monday of July of each year, he shall make and file in the office of the Treasurer of State a statement and report, subscribed and sworn to, showing the amount of such fees and charges collected, and uncollected, and the names of the parties therefor, and from whom received, and the balance due, and said officer shall be entitled to retain for his services for collecting such fees and charges, ten per cent. thereon, and no more, and shall, at the time of making such report, pay to the Treasurer of State the balance in his hands after deducting such per centum."

Amend by adding, after section 19, the following:

Section 19½. The Attorney-General shall receive on all moneys collected or property recovered by him for the State of Indiana a commission of twenty (20) per cent. He shall keep in a substantial record book, prepared for that purpose, an itemized account of the net amount collected by him, showing when and from whom received. He shall pay over such sum or sums to the proper officer, and at the end of each fiscal year make out and file with the Governor of the State a complete report of such collections and recoveries.

Amend by striking out section 18 and insert the following:

Section 18. It shall be the duty of the Secretary of State and Auditor of State to tax, at the time the services are rendered, for the use of the State of Indiana, the fees, charges and taxes now allowed by law, and said fees, charges and taxes shall be paid at the time such services are rendered; and such officers shall keep in a book to be kept for that purpose an accurate account showing all costs, fees, taxes and charges taxed and collected, including the charges and taxes provided by sections 3767 and 3773 of the Revised Statutes of 1881 from foreign insurance companies, which account shall show the person or corporation from whom collected, and the date when collected, said fees, taxes and charges to be as now or as hereafter fixed by law, and said officers shall be entitled to re-

tain for their services in making such collections 10 per cent. thereon, and the same per cent. upon and all other fees and charges collected under this or any other law, and no more, directly or indirectly. On the first Monday of January and July of each year said officers shall make a sworn report to the Treasurer of State showing the amount of such collections, the date and from whom collected, and the whole amount thereof due the State shall be paid by such officers into the State Treasury. And the Auditor of State is required to collect the charges and taxes provided, as aforesaid, by sections 3767 and 3773 of the Revised Statutes of 1881 from foreign insurance companies, and pay the whole amount thereof due the State into the State Treasury.

Amend section 10 by adding in line 1, after the word "resources," the words "or State Geologist."

In section 6, strike out the word "three" and insert in lieu thereof the word "two."

Amend section 8 of Engrossed House Bill No. 275 as follows: By striking out in line 1, the word "three" and insert in lieu thereof the word "four."

Also, to amend said section 8 by adding the following: "The salary of the chief deputy of the Clerk of the Supreme Court shall be fifteen hundred dollars; the salary of the first-assistant deputy of the Clerk of the Supreme Court shall be nine hundred dollars; the salary of the stenographer and typewritist of the Clerk of the Supreme Court shall be six hundred dollars, and the salary of the record clerk of the Clerk of the Supreme Court shall be six hundred dollars.

SEC. 22. In the county of Adams, the annual salary of the Clerk of the Circuit Court shall be twenty hundred dollars, of the Auditor twenty-two hundred dollars, of the Recorder twelve hundred dollars, of the Treasurer eighteen hundred dollars, and of the Sheriff eighteen hundred dollars.

SEC. 23. In the county of Allen the annual salary of the Clerk of the Circuit Court shall be sixty-five hundred dollars, of the Auditor sixty-seven hundred dollars, of the Recorder thirty-five hundred dollars, of the Treasurer fifty-three hundred dollars, and of the Sheriff sixty hundred dollars.

SEC. 24. In the county of Bartholomew the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred dollars, of the Auditor twenty-six hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer twenty-two hundred dollars, of the Sheriff twenty-two hundred dollars.

SEC. 25. In the county of Benton the annual salary of the Clerk of the Circuit Court shall be fourteen hundred and fifty dollars, of the Auditor sixteen hundred dollars, of the Recorder nine hundred and fifty dollars, of the Treasurer thirteen hundred and fifty dollars, and of the Sheriff fourteen hundred dollars.

SEC. 26. In the county of Blackford the annual salary of the Clerk of the Circuit Court shall be twelve hundred and fifty dollars, of the Auditor fourteen hundred dollars, of the Recorder ten hundred dollars, of the Treasurer twelve hundred dollars, and of the Sheriff twelve hundred dollars.

SEC. 27. In the county of Boone the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred dollars, of the Auditor twenty-seven hundred dollars, of the Recorder fifteen hundred dollars, of the Treasurer twenty-one hundred dollars, and of the Sheriff twenty-one hundred dollars.

SEC. 28. In the county of Brown the annual salary of the Clerk of the Circuit Court shall be twelve hundred dollars, of the Auditor thirteen hundred and fifty dollars, of the Recorder eight hundred dollars, of the Treasurer eleven hundred and fifty dollars, and of the Sheriff eleven hundred and fifty dollars.

SEC. 29. In the county of Carroll the annual salary of the Clerk of the Circuit Court shall be twenty hundred dollars, of the Auditor twenty-two hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer eighteen hundred dollars, and of the Sheriff eighteen hundred dollars.

SEC. 30. In the county of Cass the annual salary of the Clerk of the Circuit Court shall be thirty hundred dollars, of the Auditor thirty-four hundred dollars, of the Recorder eighteen hundred dollars, of the Treasurer twenty-five hundred dollars, and of the Sheriff twenty-six hundred dollars.

SEC. 31. In the county of Clark the annual salary of the Clerk of the Circuit Court shall be twenty-seven hundred dollars, of the Auditor thirty hundred dollars, of the Recorder sixteen hundred dollars, of the Treasurer twenty-four hundred dollars, and of the Sheriff twenty-five hundred dollars.

SEC. 32. In the county of Clay the annual salary of the Clerk of the Circuit Court shall be twenty-seven hundred dollars, of the Auditor thirty hundred dollars, of the Recorder fifteen hundred dollars, of the Treasurer twenty-four hundred dollars, and of the Sheriff twenty-four hundred dollars.

SEC. 33. In the county of Clinton the annual salary of the Clerk of the Circuit Court shall be twenty-five hundred dollars, of the Auditor twenty-eight hundred dollars, of the Recorder sixteen hundred dollars, of the Treasurer twenty-four hundred dollars, and of the Sheriff twenty-four hundred dollars.

SEC. 34. In the county of Crawford the annual salary of the Clerk of the Circuit Court shall be sixteen hundred dollars, of the Auditor eighteen hundred dollars, of the Recorder eleven hundred dollars, of the Treasurer fifteen hundred dollars, and of the Sheriff fifteen hundred dollars.

SEC. 35. In the county of Daviess the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred dollars, of the Auditor twenty-six hundred and fifty dollars, of the Recorder fourteen hundred dollars, of the Treasurer twenty-one hundred dollars, and of the Sheriff twenty-one hundred dollars.

SEC. 36. In the county of Dearborn the annual salary of the Clerk of the Circuit Court shall be twenty-eight hundred dollars, of the Auditor thirty hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer twenty-one hundred dollars, and of the Sheriff twenty-one hundred dollars.

SEC. 37. In the county of Decatur the annual salary of the Clerk of the Circuit Court shall be twenty-six hundred dollars, of the Auditor twenty-eight hundred dollars, of the Recorder thirteen hundred and fifty dollars, of the Treasurer twenty hundred dollars, and of the Sheriff twenty hundred dollars.

SEC. 38. In the county of Dekalb the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred dollars, of the Auditor twenty-six hundred dollars, of the Recorder fourteen hundred and fifty dollars, of the Treasurer twenty-two hundred dollars, and of the Sheriff twenty-two hundred dollars.

SEC. 39. In the county of Delaware the annual salary of the Clerk of the Circuit Court shall be twenty-seven hundred dollars, of the Auditor thirty hundred dollars, of the Recorder seventeen hundred dollars, of the Treasurer twenty-four hundred dollars, and of the Sheriff twenty-four hundred dollars.

SEC. 40. In the county of Dubois the annual salary of the Clerk of the Circuit Court shall be twenty hundred dollars, of the Auditor twenty-two hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer eighteen hundred dollars, and of the Sheriff eighteen hundred dollars.

SEC. 41. In the county of Elkhart the annual salary of the Clerk of the Circuit Court shall be thirty-five hundred dollars, of the Auditor thirty-nine hundred dollars, of the Recorder twenty hundred dollars, of the Treasurer thirty-one hundred dollars, and of the Sheriff thirty-one hundred dollars.

SEC. 42. In the county of Fayette the annual salary of the Clerk of the Circuit Court shall be fifteen hundred dollars, of the Auditor sixteen hundred and fifty dollars, of the Recorder ten hundred dollars, of the Treasurer fourteen hundred dollars, and of the Sheriff fourteen hundred dollars.

SEC. 43. In the county of Floyd the annual salary of the Clerk of the Circuit Court shall be twenty-seven hundred dollars, of the Auditor twenty-nine hundred and fifty dollars, of the Recorder fifteen hundred dollars, of the Treasurer twenty-four hundred dollars, and of the Sheriff twenty-four hundred dollars.

SEC. 44. In the county of Fountain the annual salary of the Clerk of the Circuit Court shall be twenty-one hundred dollars, of the Auditor twenty-three hundred dollars, of the Recorder twelve hundred dollars, of the Treasurer twenty hundred dollars, and of the Sheriff twenty hundred dollars.

SEC. 45. In the county of Franklin the annual salary of the Clerk of the Circuit Court shall be twenty hundred dollars, of

the Auditor twenty-two hundred dollars, of the Recorder thirteen hundred dollars, of the Treasurer eighteen hundred and fifty dollars, and of the Sheriff eighteen hundred and fifty dollars.

SEC. 46. In the county of Fulton the annual salary of the Clerk of the Circuit Court shall be eighteen hundred and fifty dollars, of the Auditor twenty hundred and fifty dollars, of the Recorder twelve hundred dollars, of the Treasurer seventeen hundred dollars, and of the Sheriff seventeen hundred dollars.

SEC. 47. In the county of Gibson the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred dollars, of the Auditor twenty-six hundred dollars, of the Recorder fourteen hundred and fifty dollars, of the Treasurer twenty-two hundred dollars, and of the Sheriff twenty-two hundred dollars.

SEC. 48. In the county of Grant the annual salary of the Clerk of the Circuit Court shall be twenty-nine hundred dollars, of the Auditor thirty-one hundred and fifty dollars, of the Recorder eighteen hundred dollars, of the Treasurer twenty-five hundred dollars, and of the Sheriff twenty-seven hundred dollars.

SEC. 49. In the county of Greene the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred dollars, of the Auditor twenty-six hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer twenty-one hundred dollars, and of the Sheriff twenty-one hundred dollars.

SEC. 50. In the county of Hamilton the annual salary of the Clerk of the Circuit Court shall be twenty-five hundred dollars, of the Auditor twenty-seven hundred dollars, of the Recorder sixteen hundred dollars, of the Treasurer twenty-two hundred dollars, and of the Sheriff twenty-two hundred dollars.

SEC. 51. In the county of Hancock the annual salary of the Clerk of the Circuit Court shall be twenty hundred dollars, of the Auditor twenty-two hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer eighteen hundred dollars and of the Sheriff, eighteen hundred dollars.

SEC. 52. In the county of Harrison the annual salary of the Clerk of the Circuit Court shall be twenty-one hundred dollars, of the Auditor twenty-three hundred dollars, of the Recorder twelve hundred dollars, of the Treasurer nineteen hundred dollars, and of the Sheriff nineteen hundred dollars.

SEC. 53. In the county of Hendricks the annual salary of the Clerk of the Circuit Court shall be twenty-one hundred and fifty dollars, of the Auditor twenty-three hundred and fifty dollars, of the Recorder thirteen hundred dollars, of the Treasurer nineteen hundred and fifty dollars, and of the Sheriff nineteen hundred and fifty dollars.

SEC. 54. In the county of Henry the annual salary of the Clerk of the Circuit Court shall be twenty-three hundred and fifty dollars, of the Auditor twenty-six hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer twenty-one hundred dollars, and of the Sheriff twenty-one hundred dollars.

SEC. 55. In the county of Howard the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred dollars, of the Auditor twenty-six hundred and fifty dollars, of the Recorder seventeen hundred dollars, of the Treasurer twenty-two hundred dollars, and of the Sheriff twenty-two hundred dollars.

SEC. 56. In the county of Huntington the annual salary of the Clerk of the Circuit Court shall be twenty-five hundred dollars, of the Auditor twenty-seven hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer twenty-two hundred dollars, and of the Sheriff twenty-two hundred dollars.

SEC. 57. In the county of Jackson the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred dollars, of the Auditor twenty-six hundred dollars, of the Recorder thirteen hundred dollars, of the Treasurer twenty-one hundred dollars, and of the Sheriff twenty-one hundred dollars.

SEC. 58. In the county of Jasper the annual salary of the Clerk of the Circuit Court shall be thirteen hundred and fifty dollars, of the Auditor fifteen hundred dollars, of the Recorder nine hundred dollars, of the Treasurer twelve hundred and fifty dollars, and of the Sheriff twelve hundred and fifty dollars.

SEC. 59. In the county of Jay the annual salary of the Clerk of the Circuit Court shall be twenty-three hundred and fifty dollars, of the Auditor twenty-five hundred and fifty dollars, of the Recorder fifteen hundred dollars, of the Treasurer twenty-one hundred dollars, and of the Sheriff twenty-one hundred dollars.

SEC. 60. In the county of Jefferson the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred and fifty dollars, of the Auditor twenty-seven hundred dollars, of the Recorder fifteen hundred dollars, of the Treasurer twenty-two hundred dollars, and of the Sheriff twenty-two hundred dollars.

SEC. 61. In the county of Jennings the annual salary of the Clerk of the Circuit Court shall be seventeen hundred and fifty dollars, of the Auditor nineteen hundred dollars, of the Recorder eleven hundred dollars, of the Treasurer sixteen hundred dollars, and of the Sheriff sixteen hundred dollars.

SEC. 62. In the county of Johnson the annual salary of the Clerk of the Circuit Court shall be twenty-one hundred and fifty dollars, of the Auditor twenty three hundred and fifty dollars, of the Recorder thirteen hundred and fifty dollars, of the Treasurer twenty hundred dollars, and of the Sheriff twenty hundred dollars.

SEC. 63. In the county of Knox the annual salary of the Clerk of the Circuit Court shall be twenty-five hundred dollars, of the Auditor twenty-eight hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer twenty two hundred and fifty dollars, and of the Sheriff twenty-two hundred and fifty dollars.

SEC. 64. In the county of Kosciusko the annual salary of the Clerk of the Circuit Court shall be twenty-five hundred dollars, of the Auditor twenty-eight hundred dollars, of the Recorder fifteen hundred dollars, of the Treasurer twenty-two hundred and fifty dollars, and of the Sheriff twenty-two hundred and fifty dollars.

SEC. 65. In the county of Lagrange the annual salary of the Clerk of the Circuit Court shall be seventeen hundred dollars,

of the Auditor eighteen hundred and fifty dollars, of the Recorder eleven hundred dollars, of the Treasurer fifteen hundred and fifty dollars, and of the Sheriff fifteen hundred and fifty dollars.

SEC. 66. In the county of Lake the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred dollars, of the Auditor twenty-six hundred and fifty dollars, of the Recorder fifteen hundred and fifty dollars, of the Treasurer twenty-one hundred and fifty dollars, and of the Sheriff twenty-one hundred and fifty dollars.

SEC. 67. In the county of Laporte the annual salary of the Clerk of the Circuit Court shall be thirty-four hundred dollars, of the Auditor thirty-nine hundred dollars, of the Recorder nineteen hundred and fifty dollars, of the Treasurer twenty-nine hundred and fifty dollars, and the Sheriff thirty hundred dollars.

SEC. 68. In the county of Lawrence the annual salary of the Clerk of the Circuit Court shall be twenty-two hundred dollars, of the Auditor twenty-four hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer twenty hundred dollars, and of the Sheriff twenty hundred dollars.

SEC. 69. In the county of Madison the annual salary of the Clerk of the Circuit Court shall be thirty-three hundred dollars, of the Auditor thirty-six hundred dollars, of the Recorder twenty hundred dollars, of the Treasurer twenty-nine hundred dollars, and of the Sheriff twenty-nine hundred dollars.

SEC. 70. In the county of Marion the annual salary of the Clerk of the Circuit Court shall be nineteen thousand five hundred dollars, of the Auditor seventeen thousand five hundred dollars, of the Recorder eleven thousand dollars, of the Treasurer twelve thousand dollars, and of the Sheriff thirteen thousand dollars.

SEC. 71. In the county of Marshall the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred dollars, of the Auditor twenty six hundred dollars, of the Recorder fourteen hundred and fifty dollars, of the Treasurer twenty-one hundred and fifty dollars, and of the Sheriff twenty-one hundred and fifty dollars.

SEC. 72. In the county of Martin the annual salary of the Clerk of the Circuit Court shall be sixteen hundred and fifty dollars, of the Auditor eighteen hundred dollars, of the Recorder eleven hundred dollars, of the Treasurer fifteen hundred dollars, and of the Sheriff fifteen hundred dollars.

SEC. 73. In the county of Miami the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred dollars, of the Auditor twenty-six hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer twenty-one hundred dollars, and of the Sheriff twenty-one hundred dollars.

SEC. 74. In the county of Monroe the annual salary of the Clerk of the Circuit Court shall be twenty hundred dollars, of the Auditor twenty-one hundred and fifty dollars, of the Recorder twelve hundred and fifty dollars, of the Treasurer eighteen hundred dollars, and of the Sheriff eighteen hundred dollars.

SEC. 75. In the county of Montgomery the annual salary of the Clerk of the Circuit Court shall be twenty-six hundred dollars, of the Auditor twenty-eight hundred dollars, of the Recorder fifteen hundred dollars, of the Treasurer twenty-two hundred and fifty dollars, and of the Sheriff twenty-two hundred and fifty dollars.

SEC. 76. In the county of Morgan the annual salary of the Clerk of the Circuit Court shall be twenty hundred and fifty dollars, of the Auditor twenty-two hundred and fifty dollars, of the Recorder thirteen hundred dollars, of the Treasurer eighteen hundred and fifty dollars, and of the Sheriff eighteen hundred and fifty dollars.

SEC. 77. In the county of Newton the annual salary of the Clerk of the Circuit Court shall be ten hundred dollars, of the Auditor twelve hundred dollars, of the Recorder six hundred dollars, of the Treasurer nine hundred dollars, and of the Sheriff nine hundred dollars.

SEC. 78. In the county of Noble the annual salary of the Clerk of the Circuit Court shall be twenty-three hundred and fifty dollars, of the Auditor twenty-six hundred dollars, of the

Recorder fourteen hundred dollars, of the Treasurer twenty-one hundred dollars, and of the Sheriff twenty-one hundred dollars.

Sec. 79. In the county of Ohio the annual salary of the Clerk of the Circuit Court shall be ten hundred dollars, of the Auditor twelve hundred dollars, of the Recorder six hundred dollars, of the Treasurer nine hundred dollars, and of the Sheriff nine hundred dollars.

Sec. 80. In the county of Orange the annual salary of the Clerk of the Circuit Court shall be seventeen hundred and fifty dollars, of the Auditor nineteen hundred dollars, of the Recorder eleven hundred dollars, of the Treasurer sixteen hundred dollars, and of the Sheriff sixteen hundred dollars.

Sec. 81. In the county of Owen the annual salary of the Clerk of the Circuit Court shall be eighteen hundred dollars, of the Auditor nineteen hundred and fifty dollars, of the Recorder, twelve hundred dollars, of the Treasurer sixteen hundred and fifty dollars, and of the Sheriff sixteen hundred and fifty dollars.

Sec. 82. In the county of Parke the annual salary of the Clerk of the Circuit Court shall be twenty hundred and fifty dollars, of the Auditor twenty-two hundred and fifty dollars, of the Recorder twelve hundred and fifty dollars, of the Treasurer nineteen hundred dollars, and of the Sheriff nineteen hundred dollars.

Sec. 83. In the county of Perry the annual salary of the Clerk of the Circuit Court shall be nineteen hundred dollars, of the Auditor twenty-one hundred dollars, of the Recorder twelve hundred dollars, of the Treasurer eighteen hundred dollars, and of the Sheriff eighteen hundred dollars.

Sec. 84. In the county of Pike the annual salary of the Clerk of the Circuit Court shall be twenty hundred dollars, of the Auditor twenty-two hundred dollars, of the Recorder twelve hundred dollars, of the Treasurer eighteen hundred dollars, and of the Sheriff eighteen hundred dollars.

Sec. 85. In the county of Porter the annual salary of the Clerk of the Circuit Court shall be nineteen hundred dollars,

of the Auditor twenty-one hundred dollars, of the Recorder twelve hundred dollars, of the Treasurer eighteen hundred dollars, and of the Sheriff eighteen hundred dollars.

SEC. 86. In the county of Posey the annual salary of the Clerk of the Circuit Court shall be twenty-two hundred dollars, of the Auditor twenty-four hundred dollars, of the Recorder thirteen hundred dollars, of the Treasurer nineteen hundred and fifty dollars, and of the Sheriff nineteen hundred and fifty dollars.

SEC. 87. In the county of Pulaski the annual salary of the Clerk of the Circuit Court shall be thirteen hundred and fifty dollars, of the Auditor fifteen hundred dollars, of the Recorder nine hundred dollars, of the Treasurer twelve hundred and fifty dollars, and of the Sheriff twelve hundred and fifty dollars.

SEC. 88. In the county of Putnam the annual salary of the Clerk of the Circuit Court shall be twenty-two hundred dollars, of the Auditor twenty-four hundred dollars, of the Recorder thirteen hundred and fifty dollars, of the Treasurer twenty hundred dollars, and of the Sheriff twenty hundred dollars.

SEC. 89. In the county of Randolph the annual salary of the Clerk of Circuit Court shall be twenty five hundred dollars, of the Auditor twenty-eight hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer twenty-two hundred and fifty dollars, and of the Sheriff twenty-two hundred and fifty dollars.

SEC. 90. In the county of Ripley the annual salary of the Clerk of the Circuit Court shall be twenty-one hundred and fifty dollars, of the Auditor twenty-three hundred and fifty dollars, of the Recorder fourteen hundred dollars, of the Treasurer nineteen hundred dollars, and of the Sheriff nineteen hundred dollars.

SEC. 91. In the county of Rush the annual salary of the Clerk of the Circuit Court shall be twenty-one hundred dollars, of the Auditor twenty-three hundred dollars, of the Recorder thirteen hundred and fifty dollars, of the Treasurer nineteen hundred dollars, and of the Sheriff nineteen hundred dollars.

SEC. 92. In the county of Scott the annual salary of the Clerk of the Circuit Court shall be ten hundred dollars, of the

Auditor twelve hundred dollars, of the Recorder six hundred dollars, of the Treasurer nine hundred dollars, and of the Sheriff nine hundred dollars.

SEC. 93. In the county of Shelby the annual salary of the Clerk of the Circuit Court shall be twenty-three hundred dollars, of the Auditor twenty-five hundred and fifty dollars, of the Recorder thirteen hundred dollars, of the Treasurer twenty hundred and fifty dollars, and of the Sheriff twenty hundred and fifty dollars.

SEC. 94. In the County of Spencer the annual salary of the Clerk of the Circuit Court shall be twenty-two hundred dollars, of the Auditor twenty-four hundred dollars, of the Recorder thirteen hundred dollars, of the Treasurer twenty hundred dollars, and of the Sheriff twenty hundred dollars.

SEC. 95. In the county of Starke the annual salary of the Clerk of the Circuit Court shall be ten hundred dollars, of the Auditor twelve hundred dollars, of the Recorder six hundred dollars, of the Treasurer nine hundred dollars, and of the Sheriff nine hundred dollars.

SEC. 96. In the County of Steuben the annual salary of the Clerk of the Circuit Court shall be seventeen hundred and fifty dollars, of the Auditor nineteen hundred dollars, of the Recorder eleven hundred and fifty dollars, of the Treasurer sixteen hundred dollars, and of the Sheriff sixteen hundred dollars.

SEC. 97. In the county of St. Joseph the annual salary of the Clerk of the Circuit Court shall be thirty-eight hundred and fifty dollars, of the Auditor forty-two hundred and fifty dollars, of the Recorder twenty-one hundred and fifty dollars, of the Treasurer thirty-four hundred dollars, and of the Sheriff thirty-four hundred dollars.

SEC. 98. In the county of Sullivan the annual salary of the Clerk of the Circuit Court shall be twenty-two hundred dollars, of the Auditor twenty-four hundred dollars, of the Recorder thirteen hundred dollars, of the Treasurer twenty hundred dollars, and of the Sheriff twenty hundred dollars.

SEC. 99. In the County of Switzerland the annual salary of the Clerk of the Circuit Court shall be fifteen hundred dollars,

of the Auditor eighteen hundred and fifty dollars, of the Recorder ten hundred dollars, of the Treasurer fourteen hundred dollars, and of the Sheriff fourteen hundred dollars.

SEC. 100. In the county of Tippecanoe the annual salary of the Clerk of the Circuit Court shall be thirty-five hundred dollars, of the Auditor thirty-five hundred dollars, of the Recorder eighteen hundred dollars, of the Treasurer twenty-eight hundred dollars, and of the Sheriff twenty-eight hundred dollars.

SEC. 101. In the county of Tipton the annual salary of the Clerk of the Circuit Court shall be twenty hundred dollars, of the Auditor twenty-two hundred dollars, of the Recorder fourteen hundred dollars, of the Treasurer eighteen hundred and fifty dollars, of the Sheriff eighteen hundred and fifty dollars.

SEC. 102. In the county of Union the annual salary of the Clerk of the Circuit Court shall be ten hundred dollars, of the Auditor twelve hundred dollars, of the Recorder six hundred dollars, of the Treasurer nine hundred dollars, and of the Sheriff nine hundred dollars.

SEC. 103. In the county of Vanderburg the annual salary of the Clerk of the Circuit Court shall be fifty-four hundred dollars, of the Auditor sixty hundred dollars, of the Recorder thirty hundred dollars, of the Treasurer forty-eight hundred dollars, and of the Sheriff forty-eight hundred dollars.

SEC. 104. In the county of Vermillion the annual salary of the Clerk of the Circuit Court shall be sixteen hundred dollars, of the Auditor seventeen hundred and fifty dollars, of the Recorder ten hundred and fifty dollars, of the Treasurer fourteen hundred and fifty dollars, and of the Sheriff fifteen hundred dollars.

SEC. 105. In the county of Vigo the annual salary of the Clerk of the Circuit Court shall be fifty hundred dollars, of the Auditor fifty hundred dollars, of the Recorder twenty-five hundred dollars, of the Treasurer forty hundred dollars, and of the Sheriff forty hundred dollars.

SEC. 106. In the county of Wabash the annual salary of the Clerk of the Circuit Court shall be twenty-four hundred and fifty dollars, of the Auditor twenty-seven hundred dollars, of

the Recorder fourteen hundred dollars, of the Treasurer twenty-one hundred and fifty dollars, and of the Sheriff twenty-one hundred and fifty dollars.

SEC. 107. In the county of Warren the annual salary of the Clerk of the Circuit Court shall be thirteen hundred and fifty dollars, of the Auditor fourteen hundred and fifty dollars, of the Recorder nine hundred dollars, of the Treasurer twelve hundred dollars, and of the Sheriff twelve hundred dollars.

SEC. 108. In the county of Warrick the annual salary of the Clerk of the Circuit Court shall be twenty-one hundred and fifty dollars, of the Auditor twenty-three hundred and fifty dollars, of the Recorder thirteen hundred dollars, of the Treasurer nineteen hundred dollars, and of the Sheriff nineteen hundred dollars.

SEC. 109. In the county of Washington the annual salary of the Clerk of the Circuit Court shall be twenty hundred and fifty dollars, of the Auditor twenty-two hundred and fifty dollars, of the Recorder thirteen hundred dollars, of the Treasurer eighteen hundred and fifty dollars, and of the Sheriff eighteen hundred and fifty dollars.

SEC. 110. In the county of Wayne the annual salary of the Clerk of the Circuit Court shall be thirty-four hundred dollars, of the Auditor thirty-seven hundred and fifty dollars, of the Recorder nineteen hundred dollars, of the Treasurer thirty hundred dollars, and of the Sheriff thirty hundred dollars.

SEC. 111. In the county of Wells the annual salary of the Clerk of the Circuit Court shall be twenty-one hundred and fifty dollars, of the Auditor twenty-three hundred and fifty dollars, of the Recorder fourteen hundred dollars, of the Treasurer nineteen hundred and fifty dollars, and of the Sheriff nineteen hundred and fifty dollars.

SEC. 112. In the county of White the annual salary of the Clerk of the Circuit Court shall be seventeen hundred and fifty dollars, of the Auditor nineteen hundred dollars, of the Recorder eleven hundred dollars, of the Treasurer sixteen hundred dollars, and of the Sheriff sixteen hundred dollars.

SEC. 113. In the county of Whitley the annual salary of the Clerk of the Circuit Court shall be nineteen hundred and fifty

dollars, of the Auditor twenty one hundred and fifty dollars, of the Recorder twelve hundred and fifty dollars, of the Treasurer eighteen hundred dollars, and of the Sheriff eighteen hundred dollars.

In section 114, line 7, of the printed bill, strike out the word "forty" and insert in lieu thereof "twenty-five."

In line 65 strike out "forty" and insert in lieu thereof "twenty-five."

In line 79 strike out the word "fifty" and insert in lieu thereof "twenty-five."

In line 99 strike out "forty" and insert "twenty-five."

In section 117 strike out the proviso.

In section 118, line 8, strike out the words, "and twenty five cents."

In section 119 strike out all of the proviso of said section.

In section 123, in line 67 of the printed bill, after the word "sheriff" insert the following :

"He shall be allowed quarterly, on itemized statements duly verified by the Board of County Commissioners, the sum of forty cents per day for boarding and care of prisoners committed to his custody ; and said commissioners shall make no further allowance to him for any service, but may in proper case allow his actual expenses."

Add to section 124, at the end thereof the following: And such county officers shall procure at the expense of the county, such books, blanks and supplies as shall be required by reason of this act, and for the transaction of the business of the county.

In section 125, after the word "months" in line 4 of the printed bill strike out the words, "and they shall pay to the County Treasurer the amount shown by the said report," and insert in lieu thereof the following: "And said officers shall be entitled to retain for their services for collecting such fees and charges fifteen per centum thereon and no more, and shall

at the time of making such report pay to the County Treasurer the balance in their hands respectively after deducting such per centum.

Section 126. That the Treasurer of each county shall on the first Mondays of March, June, September, and December respectively, of each year make out a report showing the time, amount of money in his hands on the last day of the preceding month, and shall therein designate the amount thereof belonging to each distinct fund, which report shall be sworn to and filed with the Auditor, and the Treasurer shall in addition to his salary as hereinbefore provided for, also receive and retain out of all delinquent taxes by him collected, six per centum thereof.

Your committee recommend that said bill when so amended do pass.

F. M. GRIFFITH,
Chairman Special Committee.

Senator Shockney moved that the committee be granted till to-morrow afternoon at 2 o'clock to make their report.

Senator Griffith moved to reject Senator Shockney's motion.

The ayes and noes being demanded by Senators Shockney and Griffith.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Chandler, Ellison, Ewing, Francis, French, Fulk, Griffith, Grimes, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski and Wiggs. Total, 29.

Those voting in the negative were:

Senators Boyd, Burke, Caster, Carver, Clemans, Gilman, Grose, Hays, Hobson, Hudson, Loveland, Mount, Shockney and Yaryan. Total, 14.

So the motion to reject prevailed.

Senator Shockney, from the special committee on Engrossed House Bill No. 275, made the following minority report:

MR. PRESIDENT :

A minority of your special committee, appointed by the Senate to consider House Bill No. 275, being the Fee and Salary Bill, would most respectfully represent and report that, in our opinion, Republican members were only added to said committee for the appearance of fairness, but not until after a caucus committee of three Democrats had fully and finally considered said bill, and made such amendments and changes in its provisions, as the Democratic members of the Senate desired, and that no investigation or consideration of said bill by your committee would in any manner change the determination and conclusions reached by the Democratic caucus members, long before the majority condescended to add a Republican to said committee.

We were informed by the Democratic members of said committee, that they would report on said bill at 2 o'clock this afternoon, thus giving the Republican members but little over a half day to consider a bill of twenty-eight pages of printed matter, and containing 137 sections, affecting the fees and salaries separately of over five hundred State and county officers, a work that had required and received the consideration of the caucus committee for a much longer time. From the consideration of all of which your committee concluded that the appointment of Republicans was a Democratic subterfuge, and not with any intention or purpose of suffering or permitting Republicans to consider the provisions of said bill.

We beg to say that we had, as members of the Committee of the Whole Senate, considered twenty-two sections of said bill, and as said Committee of the Whole Senate never reported specifically to the Senate on the section considered, we desire to now report that the provisions of said bill, as amended by the Committee of the Whole Senate, increased largely in advance of what the same are now, or ever have been, the fees and salaries of the office of Secretary and Auditor of State, so much so that, in the opinion of your committee, the office of Secretary of State, as provided by said section, will now yield to the incumbent the exorbitant sum of fifteen thousand dollars per annum, in addition to the amounts provided for deputies, and the salary and fees of the Auditor of

State, by reason of said amendment, will amount to the enormous sum of at least twelve thousand dollars per annum, in addition to the amounts provided for deputies, and that the fees and salaries of other State officers are largely increased and multiplied over and above the salaries fixed by the House of Representatives in said bill.

That, owing to the disposition of the caucus committee to report on the bill at the time stated, it has been a physical impossibility for your committee to consider the provisions of said bill, and we are consequently unable to offer any recommendations concerning the same.

All of which is respectfully submitted.

THEO. SHOCKNEY,
THOS. E. BOYD.

Senator Shockney moved to adopt the minority report.

The ayes and noes being demanded by Senators Shockney and Hanley.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 15.

Those voting in the negative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 32.

So the minority report failed of adoption.

Senator Byrd moved to adopt the majority report.

Senator McHugh offered the following amendment, and moved its adoption:

MR. PRESIDENT:

I move to reject section 136, as the same appears in this bill, and insert in lieu thereof the following:

Section 136. Where any Clerk, Auditor, Recorder, Treasurer or Sheriff has been elected by the people of his county before the taking effect of this act, such officer so elected, during the time that he holds such term shall not be subject to the provisions of this act. He shall hold such term of office and perform the duties thereof and receive the compensation prescribed by law the same as if this act had not passed.

Senator Akin moved to reject the amendment.

The ayes and noes being demanded.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Carver, Ellison, French, Fulk, Grose, Hayden, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Wiggs and Yaryan. Total, 28.

Those voting in the negative were:

Senators Boyd, Burke, Caster, Ewing, Foley, Francis, Gilman, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Hubbell, Hudson, Loveland, McHugh, Thompson of Marion and Thompson of Pulaski. Total, 19.

So the amendment was rejected.

The question recurring on Senator Byrd's motion to adopt the majority report, the same was adopted.

Senator Kopelke offered the following amendment:

MR. PRESIDENT:

I move to amend Engrossed House Bill No. 275 by striking out sections 120, 121 and 122.

Which motion was adopted.

Senator Caster was granted leave of absence.

Senator Howard offered the following motion:

• **MR. PRESIDENT :**

I move that the sections of the bill be renumbered consecutively. .

Senator Burke moved to lay the motion on the table.

The ayes and noes were demanded by Senators Fulk and Byrd.

And the roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Hanley Harlan, Loveland, Mount, Yaryan. Total, 7.

Those voting in the negative were :

Senators Akin, Byrd, Carver, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, and Wigga. Total, 31.

• So the motion to lay on the table was lost.

The question recurring on Senator Howard's motion to renumber the sections, the same was adopted.

Senator Yaryan offered the following amendment :

MR. PRESIDENT :

I move to amend that wherever the officer is required to keep a book of fees, the same is to be open to inspection at all times to any voter of his county.

Which amendment was adopted.

Senator Byrd offered the following motion :

I move that the constitutional rules be suspended, that House Bill No. 275 be read a second time by title, the amendments considered engrossed, the bill read a third time by sections as amended and placed on its passage, and upon that motion I demand the previous question.

BYRD.

The question being, Shall the Senate second the demand for the previous question?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 31.

Those voting in the negative were :

Senators Boyd, Burke, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Loveland, Mount, Shockney and Thompson of Marion. Total, 12.

So the Senate seconded the demand for the previous question.

Senator Shockney offered the following amendment :

MR. PRESIDENT :

I move to amend Engrossed House Bill 275 by striking out sections 20 and 136.

The motion was ruled out of order by the President.

The question being, Shall the main question be now put ?

The same was agreed to.

The question being on the suspension of the rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 35.

Those voting in the negative were :

Senators Boyd, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Loveland, Shockney and Yaryan. Total, 10.

So the constitutional rule was suspended, Engrossed House Bill No. 275 read a second time by title, amendments considered engrossed, the bill read third time by sections, and put upon its passage.

Senator Hanley presented the following protest :

MR. PRESIDENT :

I hereby protest against the vote upon the final passage of House Bill No. 275 for the reason that the Secretary of the Senate did not read the bill by sections on the third reading as required by the Constitution.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 43.

Those voting in the negative were :

Senators Burke, Hanley, Yaryan. Total, 3.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 618, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Joint Resolution No. 4, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Concurrent Resolution No. 17, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, March 3, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he returns Enrolled Senate Bill No. 61, the same being:

An act in relation to the State Board of Agriculture.

No. 112: To regulate the mode of procuring, transporting and using natural gas, and the same have become laws without his signature.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

Senator Fulk called up Engrossed House Bill No. 539 and moved that the majority report of the committee be concurred in.

Senator Magee moved to substitute the minority for the majority report and to make the consideration of the same the special order for to-morrow morning at 10 o'clock.

Senator Burke moved to lay Senator Magee's motion on the table.

The motion prevailed.

Senator Griffith presented the following notice :

MR. PRESIDENT :

I hereby give notice that on to-morrow I will offer the following motion :

I move to reconsider the vote by which Senate Bill No. 206 was passed, and that the House be requested to return said bill.

Senator Grose offered the following joint resolution :

WHEREAS, The Fifty-first Congress of the United States has enacted a law entitled an act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861 ; therefore, be it

Resolved by the General Assembly of the State of Indiana, That the State of Indiana accepts the sum therein appropriated for the State of Indiana and the trust thereby imposed in full satisfaction of all claims against the United States on account of the levy and collection of said direct tax and the payment thereof to the United States by the State of Indiana, and the Governor of the State of Indiana is hereby authorized and directed to receive such money from the United States for the uses and purposes declared by the said act of Congress.

WM. GROSE.

Senator Burke moved to refer the resolution to the Committee on Finance.

The motion was lost.

The question recurring upon the adoption of the resolution offered by Senator Grose.

Which resolution was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 398, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 625, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 3, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 223, the same being:

An act in relation to the Trustees of the State University.

No. 192: Concerning electrical street railway, and the use of electricity as a motive power thereon.

No. 52: In relation to the construction of a building for the school for the Feeble-Minded.

No. 212: To abolish the office of and Board of Trustees of water-works in certain cases.

W. B. ROBERTS,
Private Secretary.

Engrossed House Bill No. 543, entitled:

An act prescribing certain powers of Common Councils of incorporated cities.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 531, entitled:

A bill for an act to amend section one (1) of an act entitled, an act authorizing Boards of County Commissioners in this State to make donations and receive subscriptions for the purpose of erecting a monument to the memory of those from their several counties who have lost their lives, and who may

lose their lives, in the present war for the preservation of the Union, same being Section 5790 of the Revised Statutes of 1881, approved December 20, 1865.

Read first time and referred to Committee on Military Affairs.

Engrossed House Bill No. 130, entitled :

A bill for an act requiring all persons, companies, corporations and associations desiring to incorporate under the laws of the State of Indiana, and who are not now requiring to do so, to file with the Secretary of State certified copies or duplicates of their articles of incorporation, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 442, entitled :

An act in relation to the Hendricks monument and its transfer to the State of Indiana, and to protect and preserve the same, and placing it in the custody of the Custodian of the State House and his successors, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 595, entitled :

An act prohibiting agents from securing insurance in companies unauthorized by law to do business in the State of Indiana, and prescribing the liability for violation thereof.

Read first time and referred to Committee on Insurance.

Engrossed House Bill No. 492, entitled :

A bill for an act to legalize the incorporation of the town of Macy, Miami County, Indiana, and to legalize each and every official act of the several Boards of Trustees of said town and all the officers thereof, and to legalize and make valid all by-laws, ordinances, rules, regulations, assessments and proceedings adopted by said Board of Trustees, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 518, entitled:

A bill for an act to amend section one (1) of an act entitled "An act to amend section 4 of an act entitled an act to amend an act entitled an act to create a State Normal School, and declaring an emergency, approved December 20th, 1865, and adding supplemental sections thereto, and providing for certain appropriations, approved March 5, 1873, and of the Revised Statutes, section 4556, and to repeal all laws in conflict therewith," approved March 2, 1883.

Read first time and referred to Committee on Education.

Engrossed House Bill No. 509, entitled:

A bill for an act to provide for the submission of city and town plats to the Common Councils and Boards of Trustees of cities and towns before recording the same and providing a penalty where the same is recorded without the approval of the Council.

Read first time and referred to the Committee on Cities and Towns.

Engrossed House Bill No. 659, entitled:

An act to amend section eight of an act entitled "An act to provide for organizing and regulating the business of life insurance corporations, associations and societies, transacting business on what is known as the assessment plan, and fixing penalties for the violations of its provisions and declaring an emergency, approved March 9, 1883, which title was amended by an act approved March 8, 1889, so that said title now reads as follows:

"An act to provide for organizing and regulating the business of life or accident insurance corporations, associations, or societies, transacting business on what is known as the assessment plan and fixing penalties for the violation of its provisions and declaring an emergency, approved March 9, 1883, and declaring an emergency.

Read first time and referred to the Committee on Insurance.

Engrossed House Bill No. 530, entitled:

A bill for an act to amend section seven (7) of the act for the incorporation of manufacturing and mining companies, and companies for mechanical, chemical and building purposes, approved May 20, 1852, by providing that any companies incorporated in this State for any of the purposes contemplated in said act, shall not take stock in any other corporation only upon the written consent of all the stockholders of the company desiring to purchase said stock and also the written consent of all the stockholders of the corporation in which stock is sought to be purchased, and declaring an emergency.

Read first time and referred to Committee on Corporations.

Engrossed House Bill No. 504, entitled :

An act to authorize the Trustees of Purdue University to dedicate lands for a public street, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 424, entitled :

A bill for an act authorizing and empowering incorporated cities of the State of Indiana, of over ten thousand and under one hundred thousand population, to create Boards of Park Commissioners, prescribing their duties and powers, granting to such cities the right to assess and collect a special tax for park purposes, embracing other matters connected therewith, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 612, entitled :

A bill for an act appropriating two thousand and ten dollars and sixteen cents (\$210.16) to pay the claim of Augustus Bruner on account of contract for constructing a brick sewer three feet in diameter along the west side of the State House grounds from Ohio street to Market street, in the city of Indianapolis, and for constructing a brick sewer three feet in diameter along Pennsylvania street on the east side of University Park and of the Blind Asylum grounds, in the city of Indianapolis, and declaring an emergency.

Read first time and referred to Committee on Claims.

Engrossed House Bill No. 448, entitled :

An act to create a Fireman's Pension Fund, for the pensioning of disabled firemen, and the widows and the dependent children, mothers, and fathers of deceased firemen, to create a Board of Trustees of such fund, to authorize the retirement from service of disabled members, and of all members after a service of twenty-five years, and pensioning such members, and for the purposes in connection therewith in cities in this State having paid fire departments, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 618, entitled :

A bill for an act for the relief of David Marshall, Barney Gallagher and the estate of Edward Roach, deceased, sureties on the bond of John H. Hutchinson, late Treasurer of the school town of Carbon, county of Clay, in the State of Indiana, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Engrossed House Bill No. 657, entitled :

A bill for an act to legalize the incorporation of the town of New Maysville, Putnam County, Indiana, and to legalize each and every official act of the several Boards of Trustees of said corporation, and all other acts of each and every officer of the same, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 578, entitled :

An act concerning drainage, under specified conditions, and declaring an emergency.

Read first time and referred to the Committee on Swamp Lands and Drains.

Engrossed House Bill No. 259, entitled :

A bill for an act entitled an act to amend sections 2, 15, 19, 23, 26, 29, 34, 44, 45, 46, 47, 49, 52 and 65 of an act entitled an act concerning elections, providing penalties for the violation of the same and repealing all laws in conflict therewith, approved March 6, 1889.

Read first time and referred to Committee on Elections.

Engrossed House Bill No. 611, entitled :

A bill for an act entitled an act authorizing Boards of School Commissioners or other school authorities in cities having a population of one hundred thousand or over to establish a system of manual or industrial training and education, authorizing the levy of a tax therefor, and declaring an emergency.

Read first time and referred to Committee on Education.

Engrossed House Bill No. 400, entitled :

An act providing for the assessment and collection of certain taxes for the completion of the State Soldiers' and Sailors' Monument, began under "An act to provide for the erection of a State soldiers' and sailors' monument or memorial hall or monument and memorial hall combined, according to the discretion of the Trustees in this act provided for, and declaring an emergency," approved March 3, 1887, and making certain appropriations therefor.

Read first time and referred to the Committee on Finance.

Engrossed House Bill No. 488, entitled :

"An act providing for the payment of certain judgment and cost against the State of Indiana to William F. Gansbery, David V. Burnes, Caleb S. Denny, Glenn G. Horde, administrator of the estate of James C. Denny, deceased, and the Combination Gas Machine Company, and declaring an emergency.

Read first time and referred to Committee on Claims.

Engrossed House Bill No. 398, entitled :

A bill for an act prohibiting persons not members of secret societies or other organizations from wearing the badges or

uniform of such orders or organizations, and prescribing penalties for the violation of the provisions thereof, to take effect October 1, 1891.

Read first time and referred to Committee on Military Affairs.

Engrossed House Bill No. 625, entitled :

An act in relation to the compensation and terms of court of the Board of Commissioners of the several counties of the State.

Read first time and referred to Committee on Organization of Courts.

The following message was received from the Governor :

INDIANAPOLIS, IND., March 3, 1891.

HON. IRA J. CHASE,

President of the Senate :

SIR—I herewith return Senate Bill No. 118, entitled, “An act abolishing the office of Mine Inspector in the State of Indiana, establishing the office of Inspector of Mines, providing the manner of appointment to such office, repealing all laws and part of laws in conflict therewith, and declaring an emergency. This is another invasion of the Executive Department. There is, by law, no connection or affinity between the offices of Geologist and Inspector of Mines under this bill. With the same propriety the appointment could have been given to the Auditor or Treasurer of State, and with the same propriety the Secretary, Auditor and Treasurer, or either of them could have been authorized to appoint the Judges of the Appellate Court. State officers should be appointed by the Governor or elected by the people.

For these and other reasons given in former messages, I can not approve this bill.

ALVIN P. HOVEY,
Governor.

Senator Burke moved that the Senate sustain the veto of the Governor on Senate Bill No. 118.

Senator Byrd offered the following motion :

MR. PRESIDENT:

I move, as an amendment to the motion of the Senator from Clark, that the message of the Governor, together with his objections to Senate Bill No. 118, be spread of record, that the same be reconsidered and passed, the objections of the Governor to the contrary notwithstanding.

Senator Loveland moved to reject the amendment.

The motion to reject was lost.

The question recurring on the adoption of the amendment offered by Senator Byrd, the same prevailed.

The motion of Senator Burke, as amended, was then adopted.

The question being, Shall Senate Bill No. 118 pass, notwithstanding the objections of the Governor?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 31.

Those voting in the negative were:

Senators Boyd, Carver, Clemans, Ewing, Gilman, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 14.

So Senate Bill No. 118 passed, notwithstanding the objections of the Governor.

The following majority report was made upon Senate Bill No. 172:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 172, introduced by Senator Mount, beg leave to report that we have carefully examined the same and recommend that the same be indefinitely postponed.

GRIMES,
Chairman.

The following minority report was presented upon Senate Bill No. 172:

MR. PRESIDENT:

The undersigned, a member of the Committee on Education, to whom was referred Senate Bill No. 172, recommends that the bill pass.

THEO. SHOCKNEY.

Senator Burke moved to adjourn.

The ayes and noes being demanded by Senators Burke and Ewing.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Carver, Clemans, French, Gilman, Grose, Hanley, Harlan, Hays, Hubbell, McHugh, Mount, Shockney and Yaryan. Total, 15.

Those voting in the negative were:

Senators Akin, Byrd, Chandler, Ellison, Ewing, Foley, Francis, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 31.

So the motion to adjourn was lost.

Senator Ewing offered the following motion:

MR. PRESIDENT:

I move that Engrossed House Bill No. 440 be now considered, that the majority report be concurred in, the constitutional rule be suspended, the bill read a second time by title, a third time by sections and placed on its passage, and upon that I demand the previous question.

The question being, Shall the Senate second the demand for the previous question?

The ayes and noes being demanded by Senators Shockney and Hanley.

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Akin, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 33.

Those voting in the negative were :

Senators Boyd, Burke, Carver, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, and Yaryan. Total, 14.

So the demand for the previous question was seconded by the Senate.

The question then being, Shall the main question be now put?

The same was agreed to.

Senator Shockney moved to adjourn.

The ayes and noes being demanded by Senators Ewing and Howard.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Carver, Gilman, Grose, Hobson, Loveland, Mount, Shockney and Yaryan. Total, 10.

Those voting in the negative were :

Senators Akin, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 34.

So the motion to adjourn was lost.

Senator Hubbell moved that when the Senate adjourn it be till to-morrow morning at 10 o'clock.

The Chair ruled the motion out of order.

Senator Hubbell appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate?

The ayes and noes being demanded by Senators Hubbell and Ewing.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 39.

Those voting in the negative were:

Senators Clemans, Gilman, Harlan, Hobson, Hubbell, Shockney, and Yaryan. Total, 7.

So the decision of the Chair was sustained by the Senate.

The question recurring on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 34.

Those voting in the negative were:

Senators Boyd, Gilman, Hanley, Hobson, Loveland, Mount, and Yaryan. Total, 7.

So the constitutional rule was suspended, Engrossed House Bill No. 440 read a second time by title, the majority report concurred in, and the bill read a third time by sections, and put upon its passage.

Senator Shockney moved to adjourn.

The ayes and noes being demanded by Senators Ewing and Magee.

The roll was called, which resulted as follows :

Those voting in the affirmative were:

Senators Boyd, Burke, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount and Yaryan. Total, 12.

Those voting in the negative were :

Senators Akin, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wigga. Total, 33.

So the motion to adjourn was lost.

The question being on the passage of Engrossed House Bill No. 440.

The roll was called, which resulted as follows :

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 34.

Those voting in the negative were :

Senators Boyd, Clemans, Gilman, Grose, Hanley, Harlan, Hays, Hobson, Loveland, Mount and Yaryan. Total, 11.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Harlan was granted leave of absence for to-morrow.

On motion of Senator Boyd the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

WEDNESDAY MORNING.

MARCH 4, 1891.

The Senate convened at 9 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Senator Gilman.

After the reading of a portion of the Journal, on motion of Senator Chandler the further reading of the same was dispensed with.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, offered the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Acts Nos. 217, 185, 176, 72, 74, 147 and 23, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he has signed Senate Acts numbered 217, 185, 176, 72, 74, 147 and 23.

Senator Griffith, chairman of the same committee, also offered the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that after Enrolled Senate Acts numbered 217, 185, 176, 72, 74, 147, and 28 were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this 4th day of March, 1891.

F. M. GRIFFITH,
Chairman.

Senator Griffith, chairman of the same committee, also offered the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled House Acts numbered 553, 74, 624, 174, 129, 356 and 73, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he has signed House Acts numbered 553, 74, 624, 174, 129, 356 and 73.

Senator Griffith, chairman of the same committee, also offered the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report, that after Enrolled House Acts numbered 553, 74, 624, 174, 129, 356 and 73 were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this 4th day of March, 1891.

F. M. GRIFFITH,
Chairman.

Engrossed House amendments to Senate Bill No. 122:

MR. SPEAKER:

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 122, report the same back to the House with the recommendation that the title of said bill be amended by inserting after the word "four" the word "seven," and by

further amending said bill by striking out sections 2 and 3 of the same and inserting in lieu thereof sections 2, 3 and 4, as follows:

Section 2. That section 7 of the above entitled act be and is hereby amended to read as follows: Section 7. Upon the filing of the report provided for in the last preceding section, the Common Council of such city, or the Board of Trustees of such town, shall give two weeks' notice in a newspaper printed and published in such city or incorporated town, if any there be, and if there be no such paper, then in a newspaper printed and published in the county in which such city or incorporated town is located, of the time and place, when and where, a hearing can be had upon such report, before a committee to be appointed to consider such report, and such committee shall make report to the Common Council of such city, or the Board of Trustees of such town, recommending the adoption or alteration of such report; and the Common Council of such city, or the Board of Trustees of such town, may adopt, alter or amend such report and the assessments therein. Any person feeling aggrieved by such report shall have the right to appear before such committee and the Common Council of such city, or the Board of Trustees of such town, and make objections thereto, and shall be accorded a hearing thereon; and the Common Council of such city, or the Board of Trustees of such town, shall assess against the several lots or parcels of ground the several amounts which shall be assessed for and on account of such improvement, which said amounts shall bear interest at the rate of six per cent. per annum from the time of the finding of the completion of said improvement by the Common Council, or Board of Trustees, as mentioned in section 6 of this act. Should any one of such assessments exceed the sum of fifty dollars, then, if the owner of the lot or parcel against which said assessment is made may, if he, within two weeks after the making of such assessments, shall promise and agree in writing, to be filed with the Clerk of such city or town, and to be spread of record by him in consideration of the right to pay his or their assessment, or respective assessments, in installments, that they will not make any objections to illegality or irregularity as to their respective assessments,

and will pay the same, with interest thereon, at the rate of not exceeding six per centum per annum, as shall by ordinance or resolution of the Common Council of such city, or Board of Trustees of such town, be prescribed and required, he or they shall have the benefit of paying said assessments in ten annual installments, as hereinafter provided. Any owner of any lot who has been assessed more than the sum of fifty dollars thereon for the cost of such improvement who will not promise and agree in writing as herein provided, and all other owners of lots or parcels wherein assessments less than fifty dollars have been or have heretofore been made against any one lot or parcel shall be required to pay his or their assessments in full when made, and the same may be collected according to the provisions of amended section ten of this act, or the contractor or his assigns may foreclose such assessment as a mortgage is foreclosed in any court of competent jurisdiction, and shall recover, in addition to the amount of such assessment with interest, all costs and a reasonable attorney's fee. Whenever any payment shall be made upon any of such assessments it shall be the duty of the Treasurer, contractor or owner of the assessments, bonds, or certificates or installments of assessments, as hereinafter provided, receiving such payment, to enter upon the proper records the receipt of such money, and such a receipt shall be a discharge of the lien of such assessment to the extent of such payment, and upon the payment of any bonds or certificates as are issued under this act they shall be surrendered to and cancelled by the Treasurer; when bonds have been requested as aforesaid, then the Common Council of such city or Board of Trustees of such town shall cause the said assessment, amounting to more than fifty dollars, and bonds requested therefor to be placed upon the city or incorporated town tax duplicate and charged against the several lots or parcels of grounds as follows, viz.: Ten per cent. for each successive year for ten years, to which several amounts shall be added and placed on the duplicate, interest at six per cent. per annum, payable semi-annually, which shall be calculated from the time of the acceptance of the work by the Common Council or Board of Trustees, until the several allowances fall due; and the first ten per cent. shall be due and payable when the first tax falls due, and is payable after such assessment is made; and said assessment, together with the interest thereon, shall be a

lien upon the several lots or parcels of ground to the same extent that the taxes are a lien upon such property, and shall be collectible in the same way that taxes are collectible, or in such manner as the Common Council or Boards of Trustees, by ordinance, shall prescribe; and the law governing the collection of taxes shall, so far as the same is applicable, regulate and govern the collection of such assessment, and such assessment and the proceeds arising therefrom shall constitute a special fund for the payment of the costs of such street, alley and sewer improvements, and the bonds and certificates hereinafter mentioned and for no other purpose.

SEC. 3. That section ten of the above entitled act be and the same is hereby amended so as to read as follows:

Section 10. In case any of the owners of lots or parcels of grounds on which such assessments have been made shall fail, or refuse, for the space of twenty days after the date of the estimate, to pay the amount thereof due by such person to such contractor, such contractor shall file his affidavit in the Clerk's office of said city, stating that the whole or some part of said assessment remains unpaid, showing the amount paid and the amount due; that the estimate thereof has been duly made, and that the work estimated has been done according to contract, it shall be the duty of the Clerk at the next, or any subsequent, meeting of the Common Council to report the said affidavit to the Council, whose duty it shall be to cause a precept to issue for the collection of such assessment or any unpaid balance thereof; which precept shall be signed by the Mayor and attested by the Clerk and sealed with the seal of said city, and shall set forth the name of the person against whom the assessment is made; the description of the lot or land on which it is made; the amount of such assessment and the date of the estimate, which shall be directed to the Treasurer of such city, commanding him to make such assessment, or unpaid balance thereof, within ten days after receiving such precept, of the owner in whose name such assessment is made; which precept the Clerk shall forthwith deliver to the Treasurer, who shall serve the same by reading the same, personally, to such owner or by leaving a copy of such precept at his last or usual place of residence; or if such owner be unknown, or not a resident of such city, then by publication for three

successive weeks in a weekly newspaper printed and published in the city, briefly setting forth the facts of the estimate, the amount due, that the work has been done, as contracted, the name of the person whose property is to be sold, the description of the property, and the date of the order of said precept by the said council, and giving notice that if such assessment be not paid within twenty days after publication, he will proceed to make the same by levy and sale of the lot or land whereon the same is assessed. Any owner of land or his representatives aggrieved by such precept, may appeal therefrom, within twenty days after such demand or publication, to the Circuit Court of the county wherein such city is situated, upon filing sufficient bond with the clerk of said city, conditioned for the payment of whatever judgment may be rendered against such appellant in said court; and such appeal shall stay all proceedings by such Treasurer, and the trial of such appeal shall be conducted as other trials of civil causes are conducted in said courts, provided that no question of fact shall be tried which may arise prior to the making of the contract for the said improvement under the order of the Council. The Clerk shall, upon the filing of said bond, forthwith make out and certify, under his hand and official seal, a true and complete copy of all papers connected in any way with the said street improvement, beginning with the order of the Council directing the work to be done, and contracted for and including all notices, precepts, orders of Council, bonds and other papers filed in said matter, which transcript shall be in the nature of a complaint, and to which the appellant shall answer upon rule; and in case the court and jury shall find upon trial, that the proceedings of said officers subsequent to said order directing the work to be done, are regular, that a contract has been made, that the work has been done, in whole or in part, according to the contract, and that the estimate has been properly made thereon, then said court shall direct the said property to be sold and conveyed by the Sheriff thereof, as the said Treasurer is hereinafter directed to sell and convey property liable to street improvements: *Provided*, That nothing herein shall be so construed as to prevent any person from obtaining an injunction upon the proceedings prior to the making of any such improvements. If no such appeal shall have been taken as aforesaid, it shall be

the duty of such Treasurer, within ten days after the expiration of said twenty days, to levy said precept upon the lot or land therein described, and to sell the same, or so much thereof as may be necessary to pay such assessment, with cost and charges. But before any such sale, he shall give notice of the time and place thereof, by advertising the same for three weeks successively in a newspaper printed and published nearest to such lot or land, if any such be printed and published within the county wherein such city is situated, and by posting up written or printed notices thereof in at least three public places in said city, and every such sale shall be by public auction, and upon or near the premises, or in the city court room of said city, in the discretion of said Treasurer; and no sale of said lot or land previous or subsequent to the date of such estimate, and subsequent to the date of such petition or determination of the Common Council to make such improvement without petition, shall invalidate or affect any sale thereof in pursuance of this act. Upon the sale of any lot or land by virtue of such precept, and the payment of the purchase-money, the Treasurer (or in case of his death or going out of office, his successor) shall execute, acknowledge and deliver to the purchaser a certificate of conveyance for the premises; which shall be valid and effectual to convey all the rights, title and interest of any such owner or purchaser from him as aforesaid, except as hereinafter provided, and shall be *prima facie* evidence of all the facts recited therein. In case the purchaser of any real estate under a precept, as aforesaid, having paid the purchase-money therefor, shall die before a certificate of conveyance as herein provided, shall have been executed to him, the Treasurer shall convey the same to the heirs or devisees of such deceased purchaser. The proceeds of any such sale shall be applied as follows, to-wit:

Firstly. To the payment of such assessment with interest thereon, from the date of such estimate, and all costs accrued thereon by reason of said sale, and

Secondly. The residue of such proceeds shall be paid to the owner, or his or her heirs or representatives of such real estate or, if unknown, it shall be paid into the city treasury; and such city shall at all times be responsible to such owner, heirs or representatives for such residue. The purchaser under such

precept shall hold such real estate subject to the lien of the unpaid part of its proportion of the whole cost of the improvement. The Treasurer shall be entitled to a commission of five per cent. on the first hundred dollars, and three per cent. on any excess above that sum; but when the money is paid to him without sale, one half commission only shall be received by him; for levying on the real estate and advertising the same he shall receive one dollar; for personal demand for payment, twenty-five cents; for the return of the precept, with his doings thereon, one dollar; for making certificate of sale on real estate, one dollar. He shall indorse on said precept the time of receiving the same, and within three months thereafter, he shall make return thereof to the Clerk, with his proceedings thereon. Any purchaser failing to pay the purchase-money shall be subject to the like penalties and proceedings as purchasers at Sheriff's sale are by the laws of this State

The owner of any lot or land sold as aforesaid, or his agent or attorneys, heirs or representatives, may redeem the same at any time within one year after the day of sale, by paying to the purchaser, or to the City Treasurer for the use of the said purchaser, or his heirs or assigns, the sum mentioned in his certificate, and the amount of all subsequent assessments paid by the purchaser, with fifty per cent. on the whole sum, and interest from the date of purchase or time of payment: *Provided*, That infants, idiots, insane persons, and *femme-covert*, may redeem any such lot or land belonging to them, sold for assessment as aforesaid within one year from expiration of such disability. Claimants of a part of such land, or of any individual part of the same, may redeem the whole as other owners may redeem. If such owner, or any person on his behalf, shall fail to redeem such land within one year, as aforesaid, at the expiration thereof, and on production of the certificate of purchase, the Treasurer shall execute to the purchaser, his heirs or assigns, in the name of the city, a conveyance of the real estate so sold, which shall vest in the grantee an absolute estate in fee simple, subject, however, to all claims which the city may have thereon for assessments, or liens or other incumbrances. Such certificate and final conveyance shall resemble as nearly as may be, the certificate and conveyance for tax sales, and be *prima facie* evidence of all the facts recited therein.

Insert between sections three and four the following section :

"Section 4. The provisions of this act shall not apply to cities of one hundred thousand population, or more, according to the last preceding United States Census."

Number the present section 4 as 5.

Section 5. Whereas, an emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

The House amendments were concurred in.

Engrossed House Bill No. 343 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in affirmative were :

Senators Akin, Boyd, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Hobson, Howard, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shockney, Smith, Sweeney, Thompson of Pulaski, and Yaryan. Total, 37.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Burke, chairman of Committee on Judiciary, made the following report on Engrossed House Bill No. 559 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 559, have had the same under consideration, and recommend that the same do pass.

FRANK B. BURKE,
CORTÉZ EWING,
F. M. GRIFFITH.

The report was concurred in, the bill read a second time and passed to a third reading.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Engrossed House Bill No. 388:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 388, introduced by Representative Inman, beg leave to report the same back with the recommendation that the bill pass.

Senator Kopelke, from the same committee, offered the following minority report on Engrossed House Bill No. 388:

MR. PRESIDENT:

The undersigned, constituting a minority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 388, introduced by Representative Inman, beg leave to submit a report recommending that the bill be indefinitely postponed.

J. KOPELKE,
S. B. HAYS.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Engrossed House Bill No. 299:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 299, introduced by Representative Fippen, beg leave to report the same back with the recommendation that the bill pass.

Report of committee concurred in and the bill read a second time and passed to third reading.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Engrossed House Bill No. 480:

MR. PRESIDENT:

Your Committee on Judiciary to whom was referred Engrossed House Bill No. 480, introduced by Representative McCullough, beg leave to report the same back with the recommendation that the bill pass.

Report of committee concurred in and the bill read a second time and passed to a third reading.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 374:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 374, introduced by Senator Thompson, of Pulaski, beg leave to report the same back with the recommendation that the bill be amended by striking out the proviso in said bill, and inserting in lieu thereof the following: "*Provided, however, That if in the judgment of the jury such punishment would be too severe, they may assess a punishment for a lesser degree of crime,*" and when so amended the bill do pass.

Report of committee was concurred in.

And Senate Bill No. 374 was read a second time and considered engrossed.

Senator Burke, chairman of Committee on Judiciary, also made the following report on resolutions:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred the attached resolutions from the citizens of Montgomery and Cass counties, introduced by Senators Mount and Magee, respectively, beg leave to recommend that the resolutions be referred to Senator Magee, with instructions to prepare a bill, as requested.

The report was concurred in.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 125, introduced by Representative Nolan, beg leave to report the same back with the recommendation that the bill pass.

Report of committee concurred in.

And the bill read a second time and passed to a third reading.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 378:

MR. PRESIDENT :

The undersigned, constituting a majority of your Committee on Judiciary, to whom was referred Senate Bill No. 373, introduced by Senator Foley, beg leave to recommend that said bill be indefinitely postponed.

JOHN F. McHUGH,
J. KOPELKE,
S. A. HAYS.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Engrossed House Bill No. 511:

MR. PRESIDENT :

Your Committee on Judiciary to whom was referred Engrossed House Bill No. 511, introduced by Representative Carroll, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 369:

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Senate Bill No. 369, introduced by Senator Mount, beg leave to report the same back with the recommendation that the bill pass.

Report of committee was concurred in.

The bill read a second time and considered engrossed.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Senate Bill No. 370:

MR. PRESIDENT :

Your Committee on Judiciary to whom was referred Senate Bill No. 370, introduced by Senator Loveland, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

Senator Chandler, chairman of Committee on Insurance, presented the following report on Engrossed House Bill No. 466:

MR. PRESIDENT:

Your Committee on Insurance, to whom was referred Engrossed House Bill No. 466, introduced by Representative Hench, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

MORGAN CHANDLER,
Chairman.

The report of the committee was concurred in.

Senator Sweeney, chairman of Committee on Corporations, presented the following report on Engrossed House Bill No. 530:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Engrossed House Bill No. 530, have had the same under consideration, and report the same back with the recommendation that it do pass.

SWEENEY,
Chairman.

The report was concurred in, and Engrossed House Bill No. 530 was read a second time and passed to a third reading.

Senator Sweeney also presented the following report on Engrossed House Bill No. 402:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Engrossed House Bill No. 402, introduced by Representative Pickhardt, beg leave to report the same back with the recommendation that the bill pass.

SWEENEY,
Chairman.

The report was concurred in and Engrossed House Bill No. 402 was read a second time and passed to a third reading.

Senator Akin, from the Committee on Claims, to which was referred the resolution introduced by Senator Francis, on February 28, 1891, with reference to the allowance to be made to Secretary and Assistant Secretary of the Senate, made the following report thereon:

MR. PRESIDENT :

Your Committee on Claims, to whom was referred the resolution introduced by Senator Francis, hereto attached, having had the same under consideration, report the same back to the Senate with the recommendation that it be adopted.

W. G. HOLLAND,
HENRY T. HUDSON,
DANIEL FOLEY,
O. Z. HUBBELL,
I. S. FRENCH,
THOS. E. BOYD,
C. T. AKIN.

On motion of Senator Griffith, the report of the committee was concurred in, and the resolution was adopted.

Senator Magee, chairman of the Committee on Finance, presented the following report on Senate Bills Nos. 262 and 355 :

MR. PRESIDENT :

Your Committee on Finance, to whom was referred Senate Bills Nos. 262 and 355, would respectfully ask that said bills be referred to the Committee on Claims.

MAGEE,
Chairman.

The report was concurred in, and Senate Bills Nos. 262 and 355 were referred to the Committee on Claims.

Senator Grimes, chairman of the Committee on Education, presented the following report on Senate Bill No. 298 :

MR. PRESIDENT :

Your Committee on Education, to whom was referred Senate Bill No. 298, introduced by Senator Foley, have had the same under consideration, and report the same back with the recommendation that said bill be indefinitely postponed.

The report of the committee was concurred in.

Senator Byrd, of the special joint committee, offered the following majority report :

MR. PRESIDENT:

A majority of the joint committee appointed by Senate Concurrent Resolution No. 5, beg leave to submit the following report:

A majority of your committee, in compliance with said resolution, made a careful inspection of the Eastern Indiana Hospital for the Insane, and we found the sanitary condition good; the patients were neat and clean, and a very home-like appearance presented itself to your committee.

We heard evidence touching the criticisms made against the management, from witnesses sworn to testify, and while we find nothing criminal, or that would reflect any criminal negligence on the part of the management of the Institution; yet, from this evidence, we consider the general business management of the Institution bad.

We are led to believe that it would be for the best interests of the Institution, and would restore public confidence, which is needed above all else in an Institution of this character, to have an entire change of management.

S. R. MOON, Chairman.
GEO. A. BYRD,
MORGAN CHANDLER,
A. A. ADAMS,
J. F. GENT.

Senator Hobson presented the following minority report:

We, the minority of the special committee appointed by the House and Senate of the 57th regular session of the General Assembly of the State of Indiana, have complied with the object of our appointment as best we could in the limited time we have had to devote to the work, beg leave to make the following report:

We, with other members of the committee, visited said Hospital, situated near the city of Richmond, Indiana, made casual inspection of the wards and apartments thereof; found the same in a fair condition. The patients were neatly clothed, appeared to be well fed and comfortable. We made a thorough investigation of the general management of the entire Institution, and would frankly report that so far as the work of the

Board of Trustees is concerned, perhaps not, and we hope not intentionally, but for want of practical knowledge and experience, have not conducted and managed the same satisfactory to us, and to the best interests of the Institution and of the State.

First. We find that they violated section 4 of an act providing for the organization and administration of the additional hospitals for the insane, which reads as follows:

SEC. 4. As soon as practicable after organization each said Board shall meet and appoint a Medical Superintendent to have charge and direction of the particular hospital to which each of said Board of Trustees may belong and of its appurtenances, and of its insane and other inmates, who shall be reputably skilled by education and experience in the care of the insane and their diseases, and in general medicine and surgery, to serve while competent, efficient and attentive to duty, and of good moral standing, in that at their first meeting, held immediately after the Governor issued their commissions, they did appoint one Dr. Edward F. Wells, who had not, prior to said appointment, had any experience whatever in hospital management, nor was he skilled by education or experience in the care of the insane and their diseases.

Second. They went to work in an unbusiness-like manner and without system to prepare and open up the institution for the reception of inmates, and we further find that in five months' time, two months of which they had not a single patient, they paid out the enormous sum of \$84,821.15, the said amount being within a few hundred dollars of the entire amount appropriated for the annual maintenance fund. We further find that George W. Koontz, a member of the Board, has violated section 8, of the above-mentioned act, in that he has received the sum of \$140 from a contractor, for services performed on the contract of one James Madden, for putting in supply pipes in and around said institution. We further find that said Koontz has allowed himself to remain at said hospital a goodly part of the time since he was elected a member of said Board, not only boarding off of the State, but interfering with the discipline and management of the institution. We further find that the Board of Trustees have, in violation of law, interfered with the appointments of subordinates, especially the assistant physi-

cians, and that said assistants, appointed at their suggestion, have been in part men without any practical knowledge whatever of the general practice of medicine, to say nothing of their lack of experience in the care and treatment of the insane. All of which we do most emphatically condemn.

We have investigated the case of the death of Mr. Blount, and report that we attach no blame to Dr. Wells as far as the actual occurrence is concerned, but we do find that Blount had made complaint to him of bad treatment, and that he, the Superintendent, did not give the subject sufficient attention in his first investigation. He knew that an assault or an accident had to do with the death of said Blount, but he did not call the Coroner, as the nature of the case would demand. He knew the patient was injured and one or more ribs fractured, but did not make a thorough examination, and he made no report of the circumstance to the Board of Trustees until after the affidavit was made by James Hannan, an eye witness of the entire assault of Woods on the said Blount. We find that the management has not been sufficiently careful in the selection of attendants that have the care and oversight of the inmates of the various wards in the institution, and they have not discharged them when the evidence of their incompetency was developed as readily as the nature of the case would demand. In one instance they retained one Mullen, an attendant, about three months after he had been indicted for cruel treatment against the inmates under his charge in the asylum.

On or about the 17th of January last one Weible, a patient, was found dead in his bed, with his face buried in his pillow. The investigation shows that the said Weible was an epileptic, and when seized with a convulsion turned on to his face and was so left, and did come to his death by asphyxia, as was developed at the Coroner's examination. The evidence in the case fully shows that on the night of the death of Weible he and 23 or 24 others, all of whom were known as epileptic patients, were under the care and keeping of one Owens, who had just been employed and was put on duty only the evening before. The above stated cases and facts and many other acts of minor importance in and around the Hospital for the Insane at Richmond, Indiana, fully convince us that a change in the Board of Trustees and Superintendent would be advisable,

for the reason that we believe that the health and the lives of the inmates of the Eastern Hospital are not safe under their care and management, and because the well-founded distrust in the minds of the public, especially on the part of the immediate friends and relatives of the inmates of said Hospital, are demanding a change.

We respectfully ask that this report, with the evidence in the case taken by a short-hand reporter before said committee, be and the same is hereby directed to be printed and become a part of the documentary report.

GEO. W. HOBSON,
O. CARVER,
LUTHER McDOWELL,
J. L. DOLL.

Senator Byrd moved to adopt the majority report.

Senator Hobson moved to amend by adopting the minority report.

The ayes and noes being demanded by Senators Loveland and Hobson, the roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Carver, Clemans, Gilman, Grose, Hanley, Hays, Hobson, Loveland, Mount, Shockney, and Yaryan.
Total, 12.

Those voting in the negative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 82.

So the minority report was not adopted.

The question recurring on Senator Byrd's motion to adopt the majority report.

The same prevailed.

On motion of Senator Fulk the minority report was ordered printed.

Senator Byrd, chairman of Committee on Benevolent Institutions, made the following report on Senate Bill No. 191:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, to whom was referred Senate Bill No. 191, introduced by Senator Chandler, beg leave to submit the following report, and say that having had said bill under consideration, recommend that said bill be indefinitely postponed, and in lieu thereof that the following bill do pass:

A bill for an act appropriating seventeen thousand five hundred dollars to the Indiana Institution for the Education of the Deaf and Dumb, providing for the disposition of said appropriation by the Trustees of said institution, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That seventeen thousand five hundred dollars be, and is hereby appropriated to the Indiana Institution for the Education of the Deaf and Dumb, out of any moneys in the general fund in the State Treasury not otherwise appropriated.

SEC. 2. The money above appropriated shall be used as follows: For the construction and equipment of bath rooms and water closets, five thousand dollars; for the construction of drains and sewers, one thousand dollars; for repairing floors and placing closets in basement of school building, one thousand dollars; for new boilers and repair of boiler house, three thousand five hundred dollars; for ice house, etc., one thousand dollars.

SEC. 3. The Board of Trustees of said Institution shall adopt plans and specifications for all improvements contemplated under the provisions of this act, and the same shall be let to the lowest responsible bidder, after having advertised the letting for four weeks in some newspaper of general circulation, printed and published in the city of Indianapolis, Indiana: *Provided*, This section shall not apply to such improvements or parts of improvements as may be made by regular employees of the Institution.

SEC. 4. All moneys paid out under the provisions of this act shall be upon itemized vouchers, subscribed and sworn to by the claimant, in the same manner as now provided by law for the payment of regular and ordinary claims.

SEC. 5. An emergency is declared to exist for the immediate taking effect of this act and it shall be in force and take effect from and after its passage.

Report of committee was concurred in.

The bill was read a second time and considered engrossed.

The special order for this hour (9:30 o'clock) being the reconsideration of the vote on Engrossed House Bill No. 454, Senator Magee moved that the vote on the passage of said bill be reconsidered.

Senator Burke moved to lay the motion to reconsider on the table.

The ayes and noes being demanded by Senators Burke and McHugh.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Clemons, Ewing, Francis, Fulk, Griffith, Grose, Harlan, Hobson, Holcomb, Hubbell, Kopelke, Lynn, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 26.

Those voting in the negative were:

Senators Byrd, Ellison, Foley, Gilman, Hanley, Hayden, Howard, Kennedy, Kerth, McGregor, Magee and Shockney. Total, 12.

So the motion to lay the motion to reconsider on the table prevailed.

Engrossed Senate Bill No. 372 was read a third time and placed upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Byrd, Clemans, Ellison, Ewing, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hobson, Holcomb, Howard, Hubbell, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

Senator Chandler voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 363 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Clemans, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Senator Chandler voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Ewing, chairman of the Committee on Elections, made the following report on Engrossed House Bill No. 259:

MR. PRESIDENT:

Your Committee on Elections, to whom was referred Engrossed House Bill No. 259, introduced by Representative Teal, have had the same under consideration, and recommend that the same do pass.

EWING,
Chairman.

The report of the committee was concurred in and the bill was read a second time.

Senator Ewing moved to suspend the constitutional rule, that the bill be read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hobson, Holcomb, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 40.

Those voting in the negative were:

Senators Hays and Kopelke. Total, 2.

So the constitutional rule was suspended, and the bill was read a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Holcomb, Jones, Kennedy, Kerth, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 34.

Those voting in the negative were:

Senators Harlan, Hays, Hobson, Jackson, Kopelke, Loveland and Mount. Total, 7.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

On motion of Senator Ewing, the report of the Committee on Elections, together with Senator Burke's resolution, on the Barnes-Loveland contest case, was adopted.

Senator Lynn, chairman of Committee on Military Affairs, offered the following report on Engrossed House Bill No. 238:

MR. PRESIDENT:

Your Committee on Military Affairs, to whom was referred Engrossed House Bill No. 238, introduced by W. W. Robbins, begs leave to report the same back, with the recommendation that it do pass.

IVERSON LYNN,
D. H. ELLISON,
A. G. HOLCOMB,
WM. KENNEDY,
S. E. HOWARD,
B. F. CLEMANS,
WM. GROSE.

Report of the committee concurred in, and the bill read a second time.

Senator Loveland moved that the constitutional rule be suspended, Engrossed House Bill No. 238 be read a third time by sections and placed upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 45.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, Francis, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Hobson, Holcomb, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lytle, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Thompson of Huntington, Thompson of Pulaeki, Wiggs and Yaryan. Total, 40.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Lynn, chairman of the Committee on Military Affairs, offered the following report on Engrossed House Bill No. 568:

MR. PRESIDENT :

Your Committee on Military Affairs, to whom was referred Engrossed House Bill No. 568, introduced by Representative Hess, beg leave to report the same back with the recommendation that the bill do pass.

IVERSON LYNN.
D. H. ELLISON.
WM. KENNEDY.
A. G. HOLCOMB.
T. E. HOWARD.
WM. GROSE.

The report was concurred in, the bill read a second time and passed to a third reading.

Senator Akin moved that the constitutional rule be suspended, Engrossed House Bill No. 568 be read a third time sections and placed upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Chandler, Clemans, Ellison, Ewing, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Hubbell, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Hubbell, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 42.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Akin, chairman of the Committee on Agriculture, made the following report on Engrossed House Bill No. 229 :

MR. PRESIDENT :

A majority of your Committee on Agriculture, to whom was referred Engrossed House Bill No. 229, introduced by Mr. Work, have had the same under consideration, and beg leave to report the same back to the House with the recommendation that said bill do pass.

HENRY J. WIGGS,
G. H. THOMPSON,
J. N. CASTER.

Senator Ewing, of the same committee, offered the following minority report on Engrossed House Bill No. 229 :

MR. PRESIDENT :

A minority of your Committee on Agriculture, to whom was referred Engrossed House Bill No. 229, introduced by Mr. Work, have had the same under consideration, and beg leave to report the same back to the House, with the recommendation that said bill be amended by striking out section 2, and that when so amended the bill do pass.

Senator Kopelke moved that the bill be indefinitely postponed.

Which was lost.

Senator Akin moved that the reports be printed with the bill.

Which was lost.

Senator Ewing moved to adopt the minority report.

Senator Burke moved to substitute the majority report.

Which was adopted.

Senator Akin, chairman of Committee on Agriculture, also made the following report on Engrossed House Bill No. 302 :

MR. PRESIDENT :

Your Committee on Agriculture, to whom was referred Engrossed House Bill No. 302, introduced by Representative Patten, beg leave to report that they have had the same under consideration, and recommend the indefinite postponement of said bill.

Report of committee was concurred in.

Senator Hayden, chairman of Committee on Banks and Banking, made the following report on Engrossed House Bill No. 186 :

MR. PRESIDENT :

Your Committee on Banks and Banking, to whom was referred Engrossed House Bill No. 186, introduced by Representative Robbins, beg leave to report that they have had said bil

under consideration and recommend that the emergency clause be stricken out of said bill and when so amended that the same be recommended to pass.

Report of committee concurred in, the bill read a second time and advanced to third reading.

Senator Smith, chairman of Committee on Prisons, made the following report on Senate Bill No. 229 :

MR. PRESIDENT :

Your Committee on Prisons, to whom was referred Senate Bill No. 229, introduced by Senator Hobson, have had the same under consideration, and beg leave to report the same back with the recommendation that it be indefinitely postponed.

Report of committee was concurred in.

Senator Smith, chairman of Committee on Prisons, also made the following report on Senate Bill No. 346 :

MR. PRESIDENT :

Your Committee on State's Prisons, to whom was referred Senate Bill No. 346, introduced by Senator Gilman, beg leave to report the same back with the recommendation that it be indefinitely postponed.

Report of committee was concurred in.

Senator Smith, chairman of Committee on Prisons, also made the following report on memorial:

MR. PRESIDENT :

WHEREAS, The law now prohibits the employment of more than one hundred criminals on any saddle-tree or other prison contract and,

WHEREAS, We find no violation of this statute by the authorities of the Prison South, your Committee on Prisons would therefore report that it has heard evidence and fully investigated the matters prayed for in the memorial hereto attached and we find that the petitioners on said memorial do not suffer from competition with convict labor so much, as with one Sullivan, of St. Louis, Mo., who controls the trade. We can therefore recommend no action.

Senator Smith offered the following resolution :

MR. PRESIDENT :

Resolved, That the sum of one hundred and thirty (\$130.00) dollars be and the same is hereby appropriated to pay the following expenses of the Prison Committee in its investigation of the Prison North and inspection of the Prison South, to-wit :

EXPENSES OF MEMBERS.

Hon. H. B. Smith	\$10 00
Hon. Jno. Sweeney	10 00
Hon. Jno. McHugh	10 00
Hon. Cortez Ewing.....	10 00
Hon. H. H. Francis	10 00
Hon. J. M. Caster	10 00
Hon. A. E. Harlan.....	10 00
Doorkeeper Wells	10 00
Stenographer Bert Spencer, as per bill attached	30 00
Thos. Taggart, as per bill attached	15 00
Wells' advance for Shultz, as per bill attached.....	5 00
Total.....	\$130 00

H. B. SMITH,
Chairman.

INDIANAPOLIS, IND., Feb. 10, 1891.

O. T. Wells, Doorkeeper Senate, to T. Taggart, Proprietor Union Station Dining Rooms, Restaurant and Lunch Room, Dr.:

Jan. 28. To lunch furnished Committee of Investigation of Northern Prison..... \$15 00

Indiana State Senate, to O. T. Wells, Dr.:

Cash advanced to J. E. Shultz, Michigan City, for lunch, Prison Committee 5 00

General Assembly of Indiana by Senate Committee on Affairs of State Prison North, to Bert Spencer, Dr.:

To six day's services as stenographer \$30 00

The resolution was adopted.

Senator Akin, chairman of Committee on Agriculture, made the following report on Engrossed House Bill No. 296:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Engrossed House Bill No. 296, introduced by Representative Claypool, beg leave to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Report of committee was concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 565, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 118, notwithstanding the objections of the Governor thereto, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has amended and passed Senate Bill No. 45, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 11, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 80, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senator Byrd offered the following protest from the Miners' Convention of Terre Haute, Indiana:

TERRE HAUTE, IND., March 4, 1891.

To Senator Byrd:

Miners in convention here protest against Governor's veto of Senate Bill one hundred and eighteen, as it virtually renders us without Mine Inspector for the ensuing two years if present incumbent is continued in that office.

JOHN KANE,
President.

J. H. KENNEDY,
Secretary.

Senator Howard, chairman of the Committee on Swamp Lands and Drainage, offered the following report on Engrossed House Bill No. 578:

MR. PRESIDENT:

Your Committee on Swamp Lands, to whom was referred Engrossed House Bill No. 578, having examined the same, recommend the following amendment: In section one, page 2, between lines 5 and 6, insert the following words: "the lowering of any lake or lakes, or other work," and that, when so amended, that the bill do pass.

The report was concurred in, and the bill read a second time and passed to third reading.

Senator Howard moved that the constitutional rule be suspended, Engrossed House Bill No. 578 with amendments be read a third time, the amendments considered engrossed and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hays, Hobson, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, McHugh, Magee, Morgan, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Pulaski, Wiggs and Yaryan. Total, 37.

No Senator voting in the negative.

So the constitutional rule was suspended, the amendments considered engrossed, the bill as amended read a third time and put upon its passage.

The question being, Shall the bill as amended pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Caster, Chandler, Clemens, Ellison, Ewing, Foley, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 42.

Senators Fulk and Mount voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Grimes, chairman of the Committee on Education, made the following report on Engrossed House Bill No. 518:

MR. PRESIDENT:

Your Committee on Education, to which was referred House Bill No. 518, beg leave to report the same back with the recommendation that the bill do pass.

GRIMES, Chairman.
R. A. FULK,
MORGAN CHANDLER,
JOHN F. McHUGH,
JOHN YARYAN.

The report of the committee was concurred in, and the bill was read a second time and passed to a third reading.

Senator Grimes, chairman of the Committee on Education, made the following report on Engrossed House Bill No. 611:

MR. PRESIDENT:

Your Committee on Education, to which was referred House Bill No. 611, known as the Curtis Bill, has had the bill under consideration, and beg leave to report the same back recommending its passage.

A. GRIMES, Chairman.
JOHN YARYAN.

The report of the committee was concurred in, and the bill was read a second time and passed to a third reading.

Engrossed House amendment to Senate Bill No. 45:

An act to amend section one (1) of an act, approved April 13, 1885, entitled an act to amend sections 1, 6, 19, 20 and 34 of an act entitled an act concerning highways and Supervisors thereof, approved March 2, 1883, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That section 1 of said act, approved April 13, 1885, entitled an act to amend sections 1, 6, 19, 20 and 34 of an act entitled an act concerning highways and Supervisors thereof, be and the same is hereby amended to read as follows, to-wit:

That the qualified voters in each township of the several counties in this State shall elect a Supervisor in each of the road districts in their respective townships at the election held for electing township officers, who shall hold his office for five

years thereafter. Each Supervisor shall receive the sum of one dollar and fifty cents per day for all necessary service, to be paid out of the township treasury, not exceeding thirty days in any one year, and one dollar per day for a team not exceeding ten days, to be paid out of the township treasury; but before receiving the same he shall file his sworn statement, shall specify the days and dates on which said services were performed: *Provided*, Such Supervisor shall not be entitled to charge or receive any compensation whatever for a number of days equal to that required and employed by other persons of his road district liable to work on highways. Upon the taking effect of this act, if deemed necessary by any Trustee of any township, such Trustee shall divide his township into suitable road districts, and if any additional road districts shall be created, he shall appoint Supervisors therefor to hold their offices until their successors are elected and qualified; and whenever such Trustee may deem it necessary he may make any change in such road districts that may subserve public interest: *Provided, however*, That such change of the existing boundaries of road districts shall not be made except upon the petition of six householders and freeholders living in the immediate vicinity of the change proposed to be made, and on dividing his township into road districts, or when any change is made therein, such Trustee shall re-record a plat thereof in the highway record of his township, which shall distinctly show the roads and parts of roads belonging to each road district.

Section 2. Whereas, an emergency exists for the immediate taking effect of this act, therefore the same shall take effect and be in force from and after its passage.

The amendments were concurred in.

Engrossed House Bill No. 648, entitled:

A bill for an act concerning drainage of wet and overflowed lands, and declaring an emergency.

Read first time and referred to Committee on Drains and Drainage.

Engrossed House Bill No. 596, entitled:

A bill for an act entitled an act making it unlawful for foreign insurance companies legally admitted to do business

in the State of Indiana, to place or caused to be placed insurance on property in the State of Indiana, in offices outside of the State of Indiana, in violation of the tax laws of the State of Indiana, and prescribing penalties for the violation of the same, and prescribing the duties and compensation of the Auditor of State in relation thereto.

Read first time and referred to Committee on Insurance.

Engrossed House Bill No. 652, entitled:

An act authorizing the condemnation and purchase of certain lands, easements and rights of way for the construction of a sewer for the State Prison South, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 653, entitled:

An act to incorporate the Young Men's Christian Association of New Albany, Indiana.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 540, entitled:

An act to legalize the election of the Board of Trustees and other officers of the town of Rockport, Spencer County, Indiana, for the years 1887, 1888, 1889 and 1890 and to legalize all their official acts, by-laws, ordinances and regulations enacted or executed by them under and in pursuance of an act entitled "an act for the incorporation of towns, defining their powers, providing for the election of officers thereof and declaring their duties," approved June 11, 1852, and all amendments thereto, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 628, entitled:

A bill for an act to legalize the incorporation of the town of Marengo, in Crawford County, Indiana, and to legalize the election and official acts of the Board of Trustees and other officers of said town and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Howard offered the following resolution and moved its adoption :

WHEREAS, The new tax law as enacted by this General Assembly is one of great importance to the counties throughout the State, therefore, be it

Resolved, That the Secretary of the Senate be directed to draw a requisition upon the contractor for the public printing for twenty-five thousand copies of the tax law to be printed in pamphlet form, and that the same be delivered to the Secretary of State, who shall distribute them to the counties in the same proportion as the general laws are distributed.

T. E. HOWARD.

The resolution was adopted.

Senator Jackson, chairman of the Committee on County and Township Business, made the following report on Engrossed House Bill No. 399 :

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred Engrossed House Bill No. 399, introduced by Representative Peters, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

A. M. JACKSON,
Chairman.

The report of the committee was concurred in.

Senator Jackson, chairman of the Committee on County and Township Business, made the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred memorial from Daviess County, report the same back with the recommendation that it be referred to the Committee on Judiciary.

A. M. JACKSON,
Chairman.

The report of the committee was concurred in.

Senator Jackson, chairman of same committee, made the following report on Senate Bill No. 154:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 154, introduced by Senator Ellison, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

A. M. JACKSON,
Chairman.

The report of the committee was concurred in.

Senator Jackson, chairman of the same committee, made the following report on Senate Bill No. 29:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 29, introduced by Senator Hubbell, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

A. M. JACKSON,
Chairman.

The report of the committee was concurred in.

Senator Thompson, of Pulaski, chairman of the Committee on Public Health, made the following report on Engrossed House Bill No. 244:

MR. PRESIDENT:

Your Committee on Public Health, Vital and other Statistics, to whom was referred Engrossed House Bill No. 244, introduced by Representative Branstetter, have had the said bill under consideration, and have the honor to report the same back with the recommendation that it do pass.

THOMPSON, of Pulaski,
Chairman.

The report of the committee was concurred in.

The bill was read a second time and passed to a third reading.

The following majority report was made on Senate Bill No. 362:

MR. PRESIDENT:

We, the undersigned majority of your Committee on Public Health and Vital Statistics, to whom was referred House Bill No. 362, introduced by Senator Yaryan, beg leave to report the same back with the recommendation that the bill do pass.

W. H. THOMPSON,
WM. W. GILMAN,
JOHN YARYAN.

The following minority report was presented:

MR. PRESIDENT:

The undersigned, a minority of your committee to whom was referred Senate Bill No. 362, having had the bill under consideration, recommend that the same be indefinitely postponed.

J. D. MORGAN.

The minority report was adopted.

Senator Fulk offered the following resolution and moved its adoption:

Resolved, By the Senate that the Secretary of the Senate be directed to deposit with the State Librarian one hundred copies of the rules of the Senate as amended for the use of the next General Assembly.

FULK.

The resolution was adopted.

Senator Kerth, chairman of the Committee on Cities and Towns, made the following report on Engrossed House Bill No. 492:

MR. PRESIDENT:

Your Committee on Cities and Towns have had Engrossed House Bill No. 492 under consideration and report the same back with the recommendation that the bill do pass.

KERTH,
Chairman.

The report of the committee was concurred in.

The bill was read a second time and passed to a third reading.

Senator Kerth, chairman of same committee, made the following report on Engrossed House Bill No. 224:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 224, introduced by Mr. Lindemuth, have had the same under consideration and beg leave to report the same back with the recommendation that it do pass.

KERTH,
Chairman.

The report of the committee was concurred in.

The bill was read a second time and passed to a third reading.

Senator Kerth, chairman of the same committee, made the following report on Engrossed House Bill No. 448:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred House Bill No. 448, introduced by Representative Mack, beg leave to report that they have had the same under consideration and recommend that said bill do pass.

KERTH,
Chairman.

The report of the committee was concurred in.

The bill was read a second time and passed to a third reading.

Senator Kerth, chairman of same committee, made the following report on Engrossed House Bill No. 657:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred Engrossed House Bill No. 657, report same back and recommend that the same do pass.

KERTH,
Chairman.

The report of the committee was concurred in.

The bill was read a second time and passed to a third reading.

Senator Kerth, chairman of the same committee, made the following report on Engrossed House Bill No. 564:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 564, introduced by Representative Lindemuth, beg leave to report the same back with the recommendation that the bill do pass.

KERTH,
Chairman.

The report of the committee was concurred in, the bill read a second time and passed to a third reading.

Senator Kerth, chairman of the same committee, made the following report on Engrossed House Bill No. 444:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 444, introduced by Representative Teal, beg leave to report the same back with the recommendation that the bill do pass.

KERTH,
Chairman.

The report of the committee was concurred in, and the bill read a second time.

Senator Jackson moved that the constitutional rule be suspended, that House Bill No. 444 be read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Hayden, Hays, Hobson, Hudson, Jackson, Jones, Ken-

nedy, Kerth, Kopelke, Lynn, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Hayden, Hays, Hobson, Holcomb, Holland, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

Senator Grose voting in the negative.

So the bill passed.

The bill was referred to the Committee on Phraseology to amend the title.

Senator Ellison, chairman of the Committee on Phraseology, made the following report:

MR. PRESIDENT:

Your Committee on Phraseology, to whom was referred En-grossed House Bill No. 444 for correction of title, beg leave to report that said correction has been made by striking out the word and figure "section 1" in line 15 of said bill and inserting said word and figure before the word "be" in line 13 of said bill.

ELLISON,
Chairman.

The report was adopted.

The title as amended was ordered to stand as the title to the act.

Senator Hudson, chairman of the Committee on Labor, presented the following report on Engrossed House Bill No. 297 :

MR. PRESIDENT :

Your Committee on Labor, to whom was referred Engrossed House Bill No. 297, introduced by Representative Thienes, beg leave to report that they have considered said bill and recommend that the same do pass.

HUDSON,
Chairman.

The report was concurred in, and Engrossed House Bill No. 297 was read a second time, and passed to a third reading.

Senator McHugh, chairman of the Committee on Natural Gas, presented the following report on Senate Bill No. 375 :

MR. PRESIDENT :

Your Committee on Natural Gas, to whom was referred Senate Bill No. 375, recommend that the same do pass.

McHUGH,
Chairman.

The report was concurred in, and Senate Bill No. 375 was read a second time and considered engrossed.

Senator McHugh also presented the following report on Engrossed House Bill No. 274 :

MR. PRESIDENT :

Your Committee on Natural Gas, to whom was referred Engrossed House Bill No. 274, recommend that the same do pass.

McHUGH,
Chairman.

The report was concurred in, and Engrossed House Bill No. 274 was read a second time and passed to a third reading.

Senator McHugh offered Joint Resolution No. 6, as follows :

A joint resolution in relation to the acceptance by the State of Indiana of the provisions of an act of Congress, approved August 30, 1890, entitled an act to apply a portion of the

proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress, approved July 2, 1862.

WHEREAS, An act of Congress, approved August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress, approved July 2, 1862," provides, among other things, that "The grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payments of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of Legislature meeting next after the passage of this act shall be made upon the assent of the Governor thereof, duly certified to the Secretary of the Treasury; therefore, be it

Resolved by the General Assembly of the State of Indiana, That the legislative assent be, and the same is hereby given to the purpose of said grant, and Purdue University is hereby designated as the agricultural college entitled to the said grant.

Senator McHugh moved the adoption of the resolution:

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wigga. Total, 45.

Senator Hanley voting in the negative.

So Joint Resolution No. 6 was adopted.

Senator Burke moved that the minority report on Engrossed House Bill No. 620 be concurred in.

On motion of Senator Carver the Senate adjourned.

WEDNESDAY AFTERNOON.

MARCH 4, 1891.

The Senate convened at 2 o'clock P. M. Lieutenant-Governor Chase in the chair.

Senator Griffith, chairman of the Committee on Enrolled Bills, presented the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled House Act numbered 656, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Enrolled House Act No. 656.

Senator Griffith also presented the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report, that after Enrolled House Act No. 656 was signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this 4th day of March, 1891.

F. M. GRIFFITH,
Chairman.

Senator Holland, Chairman of Committee on Claims, presented the following report on Engrossed House Bill No. 264:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Engrossed House Bill No. 264, introduced by Representative Cullop, having considered the same, recommend that said bill pass and that the same be referred to the Committee on Finance.

HOLLAND,
Chairman.

The report was concurred in, and Engrossed House Bill No. 264 was referred to Committee on Finance.

Senator Holland also presented the following report on Engrossed House Bill No. 612:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Engrossed House Bill No. 612, introduced by Representative McCullough, having considered the same, recommend that said bill pass and that the same be referred to the Committee on Finance.

The report was concurred in and Engrossed House Bill No. 612 was referred to Committee on Finance.

On motion of Senator Holland Senate Bill No. 310 was indefinitely postponed.

Senator Chandler, chairman of Committee on Insurance, presented the following report on Engrossed House Bill No. 595:

MR. PRESIDENT:

Your Committee on Insurance, to whom was referred Engrossed House Bill No. 595, introduced by Representative Sleeper, have had said bill under consideration and have the honor to report the same back with the recommendation that it do pass.

CHANDLER,
Chairman.

The report was concurred in and Engrossed House Bill No. 595 was read a second time and passed to a third reading.

Senator Chandler also presented the following report on Engrossed House Bill No. 659:

MR. PRESIDENT:

Your Committee on Insurance, to whom was referred Engrossed House Bill No. 659, introduced by Representative Leyden, have had the same under consideration and beg leave to report the same back recommending that the bill do pass.

CHANDLER,
Chairman.

The report of the committee was concurred in and Engrossed House Bill No. 659 was read a second time and passed to a third reading.

Senator Burke asked leave of the Senate to withdraw the reports of the Committee on Engrossed House Bill No. 620.

Senator Kopelke moved to adopt the majority report of the committee, as on record.

Senator Burke moved that the Senate adopt that portion of the report, recommending the passage of the bill, and on that motion demanded the previous question.

Senator Shockney raised the point of order that Senator Burke's motion was out of order, which point of order the Chair sustained.

Senator Burke appealed from the decision of the Chair.

The question being, Shall the decision of the Chair stand as the decision of the Senate?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Ellison, Foley, Fulk, Grose, Harlan, Hays, Howard, Jackson, Kennedy, Kopelke, Loveland, McGregor, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Pulaski, Wiggs and Yaryan. Total, 25.

Those voting in the negative were:

Senators Burke, Chandler, Francis, Griffith, Grimes, Hanley, Holland, Hubbell, Hudson, McHugh, Magee, Morgan, Smith and Thompson of Huntington. Total, 14.

So the decision of the Chair was sustained, as the decision of the Senate.

Senator Hubbell and Senator McHugh asked leave to withdraw their signatures from the majority report.

Which was granted by the Senate.

Senator Burke then was granted leave to withdraw the minority report on Engrossed House Bill No. 620.

Senator Burke, chairman of the Committee on Judiciary, offered the following majority report on Engrossed House Bill No. 620, and moved its adoption:

MR. PRESIDENT:

A majority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 620, desire to report that they recommend that said bill do pass.

BURKE,
Chairman.

Senator Shockney moved to substitute the report signed by Senator Kopelke.

The ayes and noes being demanded by Senators Shockney and Kopelke.

The roll was called which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Carver, Caster, Ewing, Foley, French, Fulk, Hayden, Hays, Holcomb, Howard, Jackson, Jones, Kennedy, Kopelke, Loveland, Lynn, McGregor, Moore, Shanks, Shockney, Sweeney, Thompson of Pulaski, Wiggs and Yaryan. Total, 26.

Those voting in the negative were:

Senators Boyd, Burke, Chandler, Clemans, Francis, Griffith, Grimes, Grose, Hanley, Harlan, Hobson, Holland Hubbell, Hudson, McHugh, Morgan, Mount, Smith and Thompson of Huntington. Total, 19.

So the minority report recommending indefinite postponement was substituted for the majority report.

Senator Shockney moved to reconsider the vote just taken, and to lay that motion on the table.

Which motion prevailed.

Senator Burke, chairman of the Committee on Judiciary, offered the following report on Engrossed House Bill No. 652:

MR. PRESIDENT:

Your Committee on Judiciary recommend the passage of Engrossed House Bill No. 652.

BURKE,
Chairman.

The report of the committee was concurred in, the bill read a second time and passed to a third reading.

The following message was received from the House:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 203, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 182, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 250, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 71, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 372, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 601, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 660, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, March 4, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 147, the same being:

"An act concerning the publication of notices in newspapers in cases where the same is now prescribed and provided by law."

No. 185: Regulating decedents and the apportionment of estates.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

The following message was also received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 4, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 217, the same being:

"An act to encourage the breeding and improvement of trotting and pacing horses."

No. 72: To authorize the Common Councils of cities to redistrict wards, and to provide for the publication of notice of such action.

No. 74: To compel railroad companies to establish suitable waiting-rooms.

No. 23: Concerning the duties of the Board of Trustees of the Indiana School for Feeble-Minded Youth, limiting the age of pupils to be received into said schools.

W. B. ROBERTS,
Private Secretary.

Engrossed House Bill No. 660 entitled:

A bill for an act to levy a tax during the years 1891 and 1892 for the purpose of raising revenue for Benevolent and Reformatory Institutions.

Read first time and referred to Committee on Finance.

Engrossed House Bill No. 601, entitled:

An act to authorize towns incorporated under the general laws of the State of Indiana to provide all necessary apparatus for the extinguishment of fires, and to issue and negotiate bonds or other evidence of debt in the purchase of the same, or to provide means with which to purchase or pay for the same, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Engrossed House Bill No. 565, entitled :

A bill for an act to authorize the formation of corporations for the purpose of laying pipe lines and transporting petroleum.

Read first time and referred to Committee on Natural Gas.

Senator Gilman was granted leave of absence for the afternoon.

Senator Magee, chairman Committee of Finance, presented the following report on Engrossed House Bill No. 400 :

MR. PRESIDENT :

Your Committee on Finance recommend, after having the same under consideration, that Engrossed House Bill No. 400, introduced by Representative Hench, do pass.

MAGEE,
Chairman.

The report of the committee was concurred in.

And Engrossed House Bill No. 400, was read a second time and passed to a third reading.

Senator Ewing moved to reconsider the vote on the passage of Engrossed House Bill No. 484.

Senator Burke moved to lay the motion to reconsider on the table.

The ayes and noes being demanded by Senators Hobson and Shockney.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Carver, Caster, Ellison, Foley, Francis, French, Fulk, Griffith, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Howard, Jackson, Jones, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Thompson of Huntington, Wiggs and Yaryan. Total, 33.

Those voting in the negative were :

Senators Chandler, Clemans, Ewing, Hayden, Hudson, Kennedy, Morgan, Smith and Sweeney. Total, 9.

So the motion to lay on the table prevailed.

Senator Ewing presented the following memorial:

HEADQUARTERS FRED SMALL Post No. 531,
DEPARTMENT OF INDIANA G. A. R.,
WESTPORT, IND., July 7, 1891. }

Hon. Cortez Ewing, State Senator:

DEAR SIR:—At a regular meeting of the above named post held on this 7th day of February, a resolution was adopted asking you to use your influence to secure the passage of House Bill No. 6 and Senate Bill No. 15, relating to extension of and repairs to the Indiana Soldiers' and Sailors' Orphans' Home.

Respectfully,

M. M. MEWHIENEY,
Acting Adjutant Pro Tem.

Read and referred to Committee on Benevolent Institutions.

Senator Ewing presented the following memorial:

At the last regular meeting of Pap Thomas Post, No. 5, G. A. R., Department of Indiana, at their hall in Greensburg, on the night of Feb. 6, 1891, the following resolution was presented to said Post, and was adopted by the unanimous vote of the members of the post:

WHEREAS, A bill is now pending in each branch of the General Assembly of Indiana, being House Bill No. 6 and Senate Bill No. 15, the same being, "An act concerning the Indiana Soldiers' and Sailors' Orphans' Home, providing for the maintenance and improvement thereof, making appropriations therefor, providing that certain appropriations therefor shall cease, and declaring an emergency;" and,

WHEREAS, There are now on file at the Home approved applications for the admission of one hundred and seventeen (117) orphan children who can not be received for the want of room, and at every monthly meeting of the Board of Trusees of said Home there are many new applications, and very many of these applicants are in very destitute circumstances, some of them in the County Asylums for the poor; and,

WHEREAS, This is the only institute under the patronage of our State peculiarly related to the Union soldier and the G. A. R.; and

WHEREAS, The State of Indiana is well able to render this assistance to the destitute children of the defenders of the Nation, therefore be it

Resolved, That we most earnestly request and urge the Hon. Cortez Ewing and the Hon. Jacob L. Doll, by their votes and influence in each branch of the General Assembly, to use all honorable means within their power to secure the passage of this bill as introduced.

GEORGE S. DICKEY,
Post Commander.

WILL J. CREISLER,
Post Adjutant.

Read and referred to Committee on Benevolent Institutions.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 287, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 638, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has refused to concur in the Senate amendments to House Bill No. 275, in relation to fees and salaries, and has appointed Messrs. Curtis, Moon and Claypool as a committee to

act on behalf of the House with a like committee from the Senate for the purpose of agreeing upon such amendments to said bill as may, in the opinion of said committee, seem proper.

THOS. J. NEWKIRK,
Clerk.

Senator Ewing moved that a committee of three be appointed to confer with the House committee in relation to House Bill No. 275.

The motion prevailed, and President Chase appointed Senators Griffith, Francis and Shockney as the conference committee.

Engrossed House Bill No. 688, entitled :

A bill for an act for the relief of Samuel Williams, ex-Trustee of New Garden Township, Wayne County, Indiana.

Read the first time and referred to the Committee on County and Township Business.

Senator Boyd called up Senate Bill No. 15, and moved to concur in the minority report.

Senator Byrd moved to substitute the majority for the minority report.

Senator Burke demanded the previous question.

The question being, Shall the Senate second the demand for the previous question?

Which was carried.

The question being, Shall the main question be now put?

It was so agreed to.

The question being on the adoption of the majority report.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Byrd, Chandler, Foley, French, Holcomb, Howard, Kennedy, Kerth, Morgan, Moore, Shanks, Smith, Sweeney.
Total, 18.

Those voting in the negative were :

Senators Boyd, Burke, Carver, Caster, Clemans, Ellison, Ewing, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Hubbell, Hudson, Jackson, Jones, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Mount, Shockney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 88.

So the motion was lost.

The question recurring on the minority report which was adopted.

Senator Boyd moved to consider the bill engrossed.

Which motion prevailed.

The bill was then read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harley, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 47.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 648, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Akin moved to suspend the constitutional rules, that the bill be read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, French, Fulk, Griffith, Grimes, Grose, Hanley, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kerth, Kopelke, Loveland, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Senator Foley voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Snators Akin, Boyd, Burke, Byrd, Chandler, Clemans, Ellison, Ewing, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Pulaski, Wiggs and Yaryan. Total, 40.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 552, together with the report of the committee thereon, was read a second time.

The report was concurred in, and the bill passed to a third reading.

Senator Burke moved that the constitutional rule be suspended, the bill read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Carver, Caster, Chandler, Ellison, Ewing, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayes, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 37.

So the constitutional rule was suspended, and Engrossed House Bill No. 552 was read a third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemons, Ellison, Ewing, Foley, Fulk, Gilman, Griffith, Grimes, Grose, Hays, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 37.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, to whom was referred Senate Acts numbered 372, 80 and 71, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Senate acts numbered 372, 80 and 71.

Senator Griffith, chairman of the same committee, also offered the following report :

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that, after Enrolled Senate Acts numbered 872, 80 and 71 were signed by the presiding officers of both houses, they delivered said acts to the Governor for his approval this, March 4, 1891.

F. M. GRIFFITH,
Chairman.

Engrossed Senate Bill No. 297 was read the third time.

Senator Howard moved to refer the bill to a special committee with instructions to strike out section 4.

The motion was adopted.

Senator Howard was appointed as such committee.

Senator Howard, as the special committee, made the following report:

MR. PRESIDENT:

Your special committee, to whom was referred Senate Bill No. 297 for amendment by striking out section 4, would report that such amendment has been made as directed.

The report of the committee was concurred in.

The question being, Shall the bill pass?

Those voting in the affirmative were:

Senators Akin, Byrd, Carver, Caster, Clemans, Ellison, French, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Pulaski, Wiggs and Yaryan. Total, 34.

Those voting in the negative were:

Senators Burke, Chandler, Ewing and Francis. Total, 4.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the House.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 320, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has refused to concur in the Senate amendments to House Bill No. 454, being the Co-Employe Liability Bill, and has appointed Messrs. Inman, Beasley and Morris of Henry to act with a like committee on the part of the Senate for the purpose of agreeing to such amendments to said bill as, in the opinion of said committee, may seem proper.

THOS. J. NEWKIRK,
Clerk.

Senator McHugh moved that a committee of three be appointed to confer with the House committee in regard to House Bill No. 454.

The motion prevailed and President Chase appointed Senators Burke, Fulk and Shockney as the conference committee.

Engrossed House Bill No. 320, entitled :

A bill for an act requiring electors to furnish evidence of their legal qualifications in certain cases, and prescribing penalties.

Read first time and referred to Committee on Elections.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, IND., March 4, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 176, the same being: "An act touching the relation of guardian and ward."

No. 179 in relation to the incorporation of street railroad companies, has become a law by limitation without his signature.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

Engrossed House Bill No. 66 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Grose, Hanley, Harlan, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

No Senator voting in the negative.

The title to the bill was adopted as the title to the act.

Senate Bill No. 304, together with the report of the committee thereon was read a second time.

The report of the committee was concurred in.

Senator Mount offered the following amendment:

MR. PRESIDENT:

I move to add to section 5 the following: *Provided*, That nothing in this act shall in any way be construed to conflict with an act requiring the Secretary of State to charge and collect for the benefit of the State, certain fees from associations, etc.

The amendment was adopted.

Senator Ewing offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 804 by inserting in line 35, page 2, section 1 of the printed bill after word "capital" the following: "Of which at least fifty thousand dollars shall be actually paid up and."

Senator Caster moved to suspend the constitutional rule, that the bill be read a third time and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Clemans, Ellison, Ewing Foley, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Hubbell, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Thompson of Huntington, Thompson of Pulaski, Wiggs, and Yaryan Total, 40.

No Senator voting in the negative.

So the constitutional rule was suspended and the amendments considered engrossed, the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 43.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 558 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Carver, Caster, Chandler, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Harlan, Hayden, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 40.

Those voting in the negative were:

Senators Clemans, French, Hanley and Hays. Total, 4.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Griffith, chairman of the Committee on Enrolled Bills, presented the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled House Acts Nos. 440, 238 and 484, have carefully examined the same and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed House Acts Nos. 440, 238 and 484.

Senator Griffith also presented the following report:

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report, that after Enrolled House Acts Nos. 440, 238 and 484 were signed by the presiding officers of both houses, they delivered said acts to the Governor for his approval, this March 4, 1891.

F. M. GRIFFITH,
Chairman.

Senate Bill No. 380, together with the report of the committee thereon, was read a second time.

The report was concurred in.

Senator Burke moved that the constitutional rule be suspended, the bill read a third time by sections and put upon its passage.

Senator French moved that the motion lie on the table.

Which motion was lost.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Francis, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 41.

Senator French voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays,

Holcomb, Howard, Hubbell, Hudson, Jones, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

Senator Kennedy voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

House Concurrent Resolution No. 17:

Resolved by the House of Representatives, the Senate concurring, That the Senate and House of Representatives meet in joint session, in the Hall of the House, on Thursday, the 5th day of March, 1891, at 11 o'clock A. M., and proceed to elect one State Librarian for the term of two years, and until his successor is elected, appointed and qualified.

Also, one Trustee for the Central Hospital for the Insane at Indianapolis, for the term of four years.

One Trustee for the Hospital for the Insane at Logansport, for the term of four years.

One Trustee for the Hospital for the Insane at Evansville, for the term of four years.

Also, three Trustees for the Hospital for the Insane at Richmond; one of said Trustees to be elected for the term of four years, and two of said Trustees to be elected for the term of two years each, and all of said Trustees to be so elected until their successors are elected, appointed and qualified.

Also, one Director for the State Prison South, for the term of four years, and one Director for the State Prison North for the term of four years.

Also, one Trustee for the Institution for the Education of the Blind for the term of four years.

One Trustee for the Institution for the education of the Deaf and Dumb for the term of four years, and until their successors are elected or appointed and qualified.

The resolution was concurred in.

The following is Engrossed House Joint Resolution No. 4:

WHEREAS, The Fifty-first Congress of the United States has enacted a law entitled an act to credit and pay to the several States and Territories and the District of Columbia all moneys collected by the direct tax levied by the act of Congress approved August 5, 1861; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the State of Indiana accepts the sum therein appropriated for the State of Indiana and the trust thereby imposed in full satisfaction of all claims against the United States on account of the levy and collection of said direct tax and the payment thereof to the United States by the State of Indiana, and the Governor of the State of Indiana is hereby authorized and directed to receive such money from the United States for the use and purposes declared by the said act of Congress.

The question being on the adoption of House Joint Resolution No. 4.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hobson, Holcomb, Howard, Hubbell, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 42.

No Senator voting in the negative.

So the resolution was adopted.

Engrossed House Bill No. 652, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Burke moved that the constitutional rule be suspended, the bill read a third time by sections, and placed upon its passage.

The question being on the suspension of the rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hobson, Holcomb, Howard, Hubbell, Hudson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 40.

Those voting in the negative were:

Senators French, Hanley and Loveland. Total, 3.

So the constitutional rule was suspended, and Engrossed House Bill No. 652 was read a third time and placed upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hays, Hobson, Holcomb, Howard, Hubbell, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 42.

Senator Hanley voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Sweeney offered the following resolution:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

WHEREAS, Committee meetings have been held almost every night of the session which required the running of the elevator; and

WHEREAS, William Droyer was appointed to operate the elevator for this session and has labored every night and Sundays in the discharge of his duties; therefore,

Be it Resolved, That the Assistant Secretary of the Senate be and the same is hereby authorized to draw his warrant upon the Auditor for the sum of one hundred dollars in favor of said William Droyer for services rendered as aforesaid.

SWEENEY.

The resolution was referred to the Committee on Claims.

On motion of Senator Kopelke the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

THURSDAY MORNING.

MARCH 5, 1891.

The Senate convened at 9 o'clock A. M., Lieutenant Governor Chase in the chair.

Prayer was offered by President Chase.

After the reading of a portion of the Journal on motion of Senator McHugh, the further reading of the same was dispensed with.

Pursuant to notice given yesterday, Senator Griffith moved to reconsider the vote on Senate Bill No. 206.

The motion prevailed.

Senator Griffith offered the following resolution and moved its adoption:

MR. PRESIDENT:

I move the adoption of the following resolution:

Resolved, That the Assistant Secretary be ordered and directed to draw warrants in favor of Senator Geo. A. Byrd for two days' extra service and expenses, \$13; in favor of Senator

Morgan Chandler for two days' extra service and expenses, \$18; in favor of Orville Carver for two days' extra service and expenses, \$18; and in favor of Senator George Hobson for two days' extra service and expenses, \$18; as members of the Joint Committee on the Investigation of the Eastern Indiana Hospital for Insane; also, in favor of Miss M. E. Murray for services rendered in copying 180 pages, at 15 cents per page, of testimony taken before the Joint Committee on the investigation of the management of the Eastern Indiana Hospital for Insane, \$27; also, in favor of O. T. Wells, the Principal Door-keeper of the Senate, for expenses incurred in services rendered the Committee on Investigation of said Eastern Hospital for Insane, \$4; also, in favor of O. T. Wells for money advanced to Frank Bird Transportation Company, for transportation to Blind Asylum, \$5.

GRIFFITH.

The resolution was adopted.

Senator Kerth, chairman of the Committee on Cities and Towns, made the following report on Engrossed House Bill No. 686:

MR. PRESIDENT:

Your Committee on Cities and Towns, to which was referred House Bill No. 686, introduced by Mr. Nolan, have had the same under consideration and report the same back with the recommendation that the same do pass.

The report of the committee was concurred in.

Senator Kerth moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Chandler, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Hobson, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke,

Loveland, Lynn, McGregor, Magee, Morgan, Moore, Mount, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 84.

Those voting in the negative were:

Senators French and Hanley. Total, 2.

So the constitutional rule was suspended, the bill read a second time by title and a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 39.

Senator Hanley voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Loveland introduced Senate Bill No. 376, entitled:

A bill for an act for the appointment of a commission to prepare and submit to the session of the General Assembly to convene in January, 1893, the draft of a just and equitable Fee and Salary Bill, grading the compensation of officers in proportion to the population and necessary service required together with a report of the facts and statistics upon which such bill is based.

Read first time and ordered printed immediately.

Engrossed House Bill No. 184, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Ewing moved to suspend the constitutional rule, the bill read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Holcomb, Howard, Jackson, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 37.

Senator Grose voting in the negative.

So the constitutional rule was suspended, the bill read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 39.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 188 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Wiggs. Total, 40.

No Senator voting in the negative.

The title to the bill was adopted as the title to the act.

Engrossed House Bill No. 424 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Byrd, Carver, Caster, Chandler, Ellison, Francis, Fulk, Gilman, Griffith, Grimes, Hayden, Hays, Hobson, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Those voting in the negative were:

Senators Grose and Hanley. Total, 2.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following are the Engrossed House Amendments to Senate Bill No. 50:

Amend Engrossed Senate Bill No. 50 by striking out of the title of said bill the words, "the appointment of Park Commissioners and," also the words "maintaining, operating," also by striking out the the whole of section 6 thereof, also by striking out all that part of section 7 after the word "purchasing," and adding in lieu thereof the words "said park or parks."

On motion of Senator Francis the amendments were adopted.

Engrossed Senate Bill No. 343 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Francis, French, Fulk, Grimes, Hayden, Hays, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Magee, Morgan, Mount, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 32.

Those voting in the negative were:

Senators Carver, Grose and Hanley. Total, 3.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 462, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 602 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 835 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK.

Clerk.

Also, the following message was received from the House.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 418 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,

Clerk.

Engrossed House Bill No. 8 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senator Burke, Carver, Caster, Ellison, French, Fulk, Hobson, Hudson, Jackson, Kerth, and Wiggs. Total 11.

Those voting in the negative were :

Senators Akin, Boyd, Chandler, Clemans, Francis, Gilman Grimes, Grose, Hanley, Hayden, Holcomb, Jones, Kennedy, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total 29

So the bill failed to pass.

Engrossed House Bill No. 418, entitled :

A bill for an act to correct certain clauses and prevent unjust discriminations of and by life insurance companies doing business in this State, between insurants of the same class and equal expectations of life, in the rates, amount, or payment of premiums, dividends, rebates, or other benefits.

Read first time and referred to Committee on Insurance.

Engrossed House Bill No. 335, entitled :

An act to amend section twenty-seven (27) of an act entitled :
 “An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties, approved June 11, 1852, and declaring an emergency.

Read first time and referred to Committee on Affairs of City of Indianapolis.

Engrossed House Bill No. 602, entitled :

An act prohibiting railroad companies or corporations from collecting overcharges on freight and prescribing penalties.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 462, entitled :

A bill for an act entitled : “An act to amend an act entitled an act to amend an act entitled ‘an act to provide for a general system of common schools, the officers thereof, and their respective duties and powers, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws in consistent therewith, providing penalties therein prescribed,’” approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1878, and to amend an act entitled “an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers named therein, and for the establishment and regulation of township libraries, and to repeal all laws in consistent therewith, providing penalties therein prescribed,” approved March 6, 1865; to define the duties of certain officers therein named relative to the enumerating or listing and reporting of persons of school age, as a basis for the apportionment per capita of the school revenues of the State and counties, the apportionment of such revenues thereupon, and to repeal all laws inconsistent therewith, and providing penalties therein prescribed, and declaring an emergency.

Read first time and referred to Committee on Education.

Engrossed House Bill No. 498, together with the report of the committee thereon was read a second time.

The report was concurred in.

Senator Griffith moved that the constitutional rule be suspended, the bill read a third time by sections and put upon its passage.

Senators Shockney moved that the further consideration of the bill be indefinitely postponed.

Senator Ewing moved to reject the motion of Senator Shockney, which motion prevailed.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Hayden, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski and Wiggs. Total, 34.

Those voting in the negative were:

Senators Carver, Clemans, Hanley, Hays, Hobson, Kopelke, Mount, Shockney and Yaryan. Total, 9.

So the constitutional rule was suspended the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Chandler, Ellison, Ewing, Francis, French, Fulk, Gilman, Griffith, Grimes, Hayden, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Those voting in the negative were :

Senators Caster, Clemans, Hanley, Mount and Shockney.
Total, 5.

So the bill passed.

The title to the bill was adopted as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 814, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 342, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 38, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 295, and the same is herewith transmitted for the action of the Senate.

THOS. S. NEWKIRK,
Clerk.

Engrossed House Bill No. 295, entitled :

An act fixing the limit of compensation to be paid for carrying passengers and their baggage on all lines of railroads within the State of Indiana, and providing a penalty for a violation thereof, and declaring an emergency.

Read first time and referred to Committee on Railroads.

Senator Ewing, chairman of Committee on Elections, presented the following report on Engrossed House Bill No. 320:

MR. PRESIDENT :

Your Committee on Elections, to whom was referred Engrossed House Bill No. 320, introduced by Mr. Kyle, would report that they have had the same under consideration and would recommend that the bill do pass.

EWING,
Chairman.

The report of the committee was concurred in and the bill was read a second time and passed to a third reading.

The hour having arrived for the Senate to meet the House in joint convention in accordance with House Concurrent Resolution No. 17, the Senate repaired to the hall of the House of Representatives for the purpose of electing a State Librarian, one Trustee for the Central Hospital for the the Insane, one Trustee for the Northern Hospital for the Insane, one Trustee for the Southern Hospitals for the Insane, three Trusees for the Eastern Hospital for the Insane, one Director for the Prison North, one Director for the Prison South, one Trustee for the Institution for the Blind, and one Trustee for the Institution for the Deaf and Dumb.

The Senate and House of Representatives met in joint convention in the hall of the House of Representatives at 11 o'clock A. M., February 26, 1891, with Lieutenant-Governor Chase in the chair.

The President called the convention to order.

The roll of the Senate being called, the following Senators answered to their names :

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thomson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 44.

The roll of the House being called, the following Representatives answered to their names :

Messrs. Adams, Ader, Aikman, Baker, Beasley, Beauchamp, Beigler, Bowman, Branstetter, Brown of Stuben, Bryant, Byrkit, Callicutt of Jennings, Carroll of Montgomery, Claypool of Henry, Cullop, Doll, Ebert, Erwin, Farlow, Faulkner, Fulton, Gill, Glessner, Gray, Guthrie, Haggart, Harlan, Harrell, Hay, Heathman, Hench, Hess, Higgins, Hougham, Huffman, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelley, Kern, Kester, Kilgore, Kyle, Latta, Lee, Leyden, Lindemuth, McCullough, McDowell, Mack, Matthews, Moon, Morris of Henry, Morris of Parke, Moss, Nolan, Officer, Oldham, Oppenheim, Osborn, Osterman, Parker of Newton, Parker of Hendricks, Peters, Pickhardt, Robbins, Roscoe, Rude, Short, Sleeper, Smith of Owen, Smith of Posey, Stone, Stull, Teal, Thienes Thompson, Trimble, Troy, Voigt, Watson, Whittenberger, Wilson, Work, Wright, Zoercher, Niblack. Total, 89.

Nomination for State Librarian being in order, Representative Voigt nominated Jacob P. Dunn, and Senator Loveland nominated Emma L. Davidson.

The roll of the Senate was called, which resulted as follows :

Those voting for Jacob P. Dunn were :

Senator Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total 32.

Those voting for Emma L. Davidson were :

Senators Boyd, Caster, Gilman, Hanley, Harlan, Hays, Hobson, Loveland, Mount, Shockney, and Yaryan. Total 11

The roll of the House was called, which resulted as follows:

Those voting for Jacob P. Dunn were:

Representatives Adams, Ader, Baker, Beasley, Beauchamp, Beigler, Bowman, Branstetter, Byrkit, Callicott, Calvert, Carroll, Cullop, Ebert, Erwin, Farlow, Faulkner, Fippen, Fowler, Fulton, Gill, Glessner, Gray, Harrell, Hay, Heathman, Hench, Higgins, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelley, Kerns, Kester, Kilgore, Kyle, Lee, Leyden, McCulloch, Mack, Matthews, Moore, Nolan, Oppenheim, Osborn, Osterman, Patton, Peters, Pickhardt, Robbins, Roscoe, Rude, Short, Smith of Owen, Smith of Posey, Stull, Teal, Thienes, Thompson, Timmons, Trimble, Troy, Voight, Watson, Work, Wright, Zoercher, and Niblack. Total, 69.

Those voting for Emma L. Davidson were:

Representatives Aikman, Brown of Steuben, Bryant, Claypool, Doll, Guthrie, Haggart, Harlan, Hess, Hougham, Huffman, Latta, Lindemuth, McDowell, Morris of Henry, Morris of Parke, Officer, Oldham, Parker of Newton and Jasper, Parker of Hendricks, Sleeper, Stone, Wittenberger, and Wilson. Total, 24.

Total number of votes, 136.

Necessary to a choice, 69 votes.

Jacob P. Dunn having received 101 votes, a majority of all the votes cast, was declared duly elected State Librarian for a term of two years.

Nominations for Trustee of the Central Hospital for the Insane for the term of four years being in order, Senator Fulk nominated Zachariah Houser, and Senator Boyd nominated Leonard Wiles.

The roll of the Senate was called, which resulted as follows:

Those voting for Zachariah Houser were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holeomb,

Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 32.

Those voting for Leonard Wiles were:

Senators Boyd, Carver, Caster, Gilman, Hanley, Harlan, Hays, Hobson, Hubbell, Loveland, Mount, Shockney. Total, 12.

The roll of the House was called, which resulted as follows:

Those voting for Zachariah Houser were:

Representatives Adams, Ader, Baker, Beasley, Beauchamp, Beigler, Bowman, Branstetter, Byrkit, Callicott, Calvert, Carroll, Cullop, Ebert, Erwin, Farlow, Faulkner, Fippen, Fowler, Fulton, Gent, Gill, Glessner, Gray, Harrell, Hay, Hench, Higgins, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelly, Kerns, Kester, Kilgore, Kyle, Lee, Leyden, McCullough, Mack, Matthews, Morris, Moss, Nolan, Oppenheim, Osborn, Osterman, Patton, Peters, Pickhardt, Robbins, Roscoe, Short, Smith of Owen, Smith of Posey, Stull, Teal, Thienes, Thompson, Timmons, Trimble, Troy, Voigt, Watson, Work, Wright, Zoercher, Niblack. Total, 69.

Those voting for Leonard Wiles were:

Representative Aikman, Brown, Bryant, Claypoll, Doll, Guthrie, Haggart, Harlan, Heathman, Hess, Houghman, Huffman, Latta, Lindemuth, McDowell, Morris of Henry, Morris of Parke, Officer, Oldham, Parker of Newton, Parker of Hendricks, Sleeper, Stone, Whittenberger, Wilson. Total, 25.

Total number of votes, 138.

Necessary to choice, 70.

Zachariah Houser having received 101 votes, a majority of all the votes cast, was declared duly elected Trustee for the Central Hospital for the Insane, for the term of four years.

Nominations for Trustee of the Northern Hospital for the Insane, for the term of four years, being in order, Representative Teal nominated David Hough.

The roll of the Senate was called, which resulted as follows:

Those voting for David Hough were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 32.

The roll of the House being called resulted as follows:

Those voting for David Hough were:

Representatives Adams, Ader, Baker, Beasley, Beauchamp, Beigler, Bowman, Branstetter, Byrkit, Callicutt, Calvert, Carroll, Cullop, Curtis, Ebert, Erwin, Farlow, Faulkner, Fippen, Fowler, Fulton, Gent, Gill, Gleesner, Gray, Harrell, Hay, Heathman, Hench, Higgins, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelley, Kern, Kester, Kilgore, Kyle, Lee, Leyden, McCullough, Mack, Matthews, Moon, Nolan, Oppenheim, Osborn, Osterman, Patton, Peters, Pickhardt, Robbins, Roscoe, Rude, Short, Smith of Owen, Smith of Posey, Stull, Teal, Thienes, Thompson, Timmons, Trimble, Troy, Voigt, Watson, Work, Wright, Zoercher and Niblack. Total, 71.

Total number of votes, 102.

David Hough having received all the votes cast, was declared duly elected Trustee of the Northern Hospital for the Insane for the term of four years.

Nominations for Trustee of the Southern Hospital for the Insane for the term of four years being in order, Representative Beasley nominated Perry H. Blue.

The roll of the Senate was called, which resulted as follows:

Those voting for Perry H. Blue were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 32.

The roll of the House being called, resulted as follows:

Those voting for Perry H. Blue were:

Representatives Adams, Ader, Baker, Beasley, Beauchamp, Beigler, Bowman, Branstetter, Byrkit, Callicutt, Calvert, Carroll, Cullop, Curtis, Ebert, Erwin, Farlow, Faulkner, Fippen, Fowler, Fulton, Gent, Gill, Glessner, Gray, Harrell, Hay, Heathman, Hench, Higgins, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelley, Kern, Kester, Kilgore, Kyle, Lee, Leyden, McCullough, Mack, Matthews, Moon, Nolan, Oppenheim, Osborn, Osterman, Patton, Peters, Pickhardt, Robbins, Roscoe, Rude, Short, Smith of Owen, Smith of Posey, Stull, Teal, Thienes, Timmons, Trimble, Troy, Voigt, Watson, Work, Wright, Zoercher and Niblack. Total, 70.

Total number of votes, 102.

Perry H. Blue having received all the votes cast was declared duly elected for Trustee of the Southern Hospital for the Insane for the term of four years.

On motion of Senator Kopelke, the election of Trustees for the Eastern Hospital for the Insane was passed.

Nominations for Director of the Prison North, for the term of four years being in order.

Representative Kern nominated John Brodie, and Senator Gilman nominated Duncan McArthur Williams.

The roll of the Senate was called, which resulted as follows:

Those voting for John Brodie were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 33.

Those voting for Williams were:

Senators Boyd, Carver, Caster, Gilman, Hanley, Harlan, Hays, Hobson, Loveland and Mount. Total, 10.

The roll of the House was called, which resulted as follows:

Those voting for Brodie were:

Messrs. Adams, Ader, Baker, Beasley, Beauchamp, Beigler, Bowman, Branstetter, Byrkit, Callicott, Calvert, Carroll, Cullop, Curtis, Ebert, Erwin, Farlow, Faulkner, Fippen, Fowler,

Fulton, Gent, Gill, Glessner, Gray, Harrell, Hay, Heathman, Hench, Higgins, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelley, Kern, Kester, Kilgore, Kyle, Lee, Leyden, McCullough, Mack, Matthews, Moon, Moss, Nolan, Oppenheim, Osborn, Osterman, Patton, Peters, Pickhardt, Robbins, Roscoe, Rude, Short, Smith of Owen, Smith of Posey, Stull, Teal, Thienes, Thompson, Timmons, Trimble, Troy, Voigt, Watson, Work, Wright, Zoercher, and Niblack. Total, 72.

Those voting for Williams were:

Messrs. Aikman, Brown, Bryant, Claypool, Doll, Guthrie, Haggart, Harlan, Hess, Hougham, Huffman, Latta, Lindemuth, McDowell, Morris of Henry, Morris of Parke, Officer, Oldham, Parker of Newton, Sleeper, Stone, Whittenberger and Wilson. Total, 23.

Total number of votes, 138.

Necessary to a choice, 70.

John Brodie having received one hundred and five (105) votes, a majority of all the votes cast, was declared duly elected as a Director of the Prison North for the term of four years.

Nominations for Director of the Prison South for the term of four years being in order.

Senator Burke nominated Floyd Parks, and Representative Bryant nominated G. W. Osborn.

The roll of the Senate was called, which resulted as follows:

Those voting for Floyd Parks were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 33.

Those voting for G. W. Osborn were:

Senators Boyd, Gilman, Hauley, Harlan, Hays, Hobson, Loveland, Shockney. Total, 8.

The roll of the House was called, which resulted as follows :

Those voting for Floyd Parks were :

Representatives Adams, Ader, Baker, Beasley, Beauchamp, Beigler, Bowman, Branstetter, Byrkit, Callicutt, Calvert, Carroll, Cullop, Curtis, Ebert, Erwin, Farlow, Faulkner, Fippen, Fowler, Fulton, Gent, Gill, Glessner, Gray, Harrell, Hay, Heathman, Hench, Higgins, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelly, Kern, Kerster, Kilgore, Kyle, Lee, Leyden, McCullough, Mack, Matthews, Moon, Nolan, Oppenheim, Osborn, Osterman, Patton, Peters, Pickhardt, Robbins, Roscoe, Rude, Short, Smith of Owen, Smith of Posey, Stull, Teal, Thienes, Thompson, Timmons, Trimble, Troy, Voigt, Watson, Work, Wright, Zoercher, Niblack. Total, 71.

Those voting for G. W. Osborn were :

Representatives Aikman, Brown, Bryant, Claypool, Doll, Guthrie, Haggart, Harlan, Hess, Hougham, Huffman, Latta, Lindemuth, McDowell, Morris of Henry, Morris of Parke, Oldham, Parker of Newton, Parker of Hendricks, Sleeper, Stone, Whittenberger and Wilson. Total, 23.

Total number of votes, 185.

Necessary to a choice, 68.

Floyd Parks having received one hundred and four votes (104), a majority of all the votes cast, was declared duly elected Director of the Prison South for the term of four years.

Nominations for Trustee of the Institution for the Blind, for the term of four years, being in order, Senator Akin nominated John B. Stoll, and Senator Harlan nominated M. S. Robinson.

The roll of the Senate was called, which resulted as follows :

Those voting for John B. Stoll were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 33.

Those voting for M. S. Robinson were :

Senators Boyd, Carver, Caster, Gilman, Harlan, Loveland and Shockney. Total, 7.

The roll of the House being called, resulted as follows :

Those voting for John B. Stoll were :

Representatives Adams, Ader, Baker, Beasley, Beauchamp, Beigler, Bowman, Branstetter, Byrkit, Callicutt, Calvert, Carroll, Cullop, Curtis, Ebert, Erwin, Farlow, Faulkner, Fippen, Fowler, Fulton, Gent, Gill, Glessner, Gray, Harrell, Hay, Heathman, Hench, Higgins, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelley, Kern, Kester, Kilgore, Kyle, Lee, Leyden, McCullough, Mack, Matthews, Moon, Nolan, Oppenheim, Osborn, Osterman, Patton, Peters, Pickhardt, Robbins, Roscoe, Rude, Short, Smith of Owen, Smith of Posey, Stull, Teal, Thienes, Thompson, Timmons, Trimble, Troy, Voigt, Watson, Work, Wright, Zoercher and Niblack. Total, 71.

Those voting for M. S. Robinson were :

Representatives Aikman, Brown of Steuben, Bryant, Doll, Guthrie, Harlan, Hess, Hougham, Huffman, Latta, Lindemuth, McDowell, Morris of Henry, Morris of Parke, Officer, Oldham, Parker of Newton and Jasper, Parker of Hendricks, Sleeper, Stone, Whittenberger and Wilson. Total, 22.

Total number of votes, 133.

Necessary to a choice, 67 votes.

John B. Stoll having received 104 votes was declared duly elected for Trustee of the Institution for the Education of the Blind for the term of four years.

Nominations for Trustee of the Institution for the Education of the Deaf and Dumb for the term of four years, being in order, Representative Smith, of Posey, nominated Joseph L. Blase, and Representative Morris, of Henry, nominated Thomas N. White.

The roll of the Senate was called, which resulted as follows :

Those voting for Joseph L. Blase were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wigga. Total, 33.

Those voting for White were :

Senators Caster, Gilman, Harlan, Hobson, and Loveland. Total, 5.

The roll of the House was called, which resulted as follows :

Those voting for Joseph L. Blase were :

Messrs. Adams, Ader, Baker, Beasley, Beauchamp, Beigler, Bowman, Branstetter, Byrkit, Callicutt, Calvert, Carroll, Cullop, Curtis, Ebert, Erwin, Farlow, Faulkner, Fippin, Fowler, Fulton, Gent, Gill, Glessner, Gray, Harrell, Hay, Heathman, Hench, Higgins, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelly, Kern, Kester, Kilgore, Kyle, Lee, Leyden, McCullough, Mack, Matthews, Moon, Moss, Nolan, Oppenheim, Osborn, Osterman, Patton, Peters, Pickhardt, Robbins, Roscoe, Rude, Short, Smith of Owen, Smith of Posey, Stull, Teal, Thienes, Thompson, Timmons, Troy, Voigt, Wilson, Work, Wright, Zoercher and Niblack. Total, 71.

Those voting for Thomas N. White were :

Messrs. Aikman, Brown, Bryant, Guthrie, Harlan, Hess, Hougham, Huffman, Latta, Lindemuth, McDowell, Morris of Henry, Morris of Parke, Officer, Oldham, Parker of Newton, Parker of Hendricks, Sleeper, Stone and Whittenberger. Total, 20.

Total vote cast, 129.

Necessary to a choice, 65.

Joseph L. Blase having received one hundred and four (104) votes, was declared duly elected as a Trustee of the Institution for the Deaf and Dumb for the term of four years.

On motion of Senator Byrd the Joint Convention adjourned *sine die*.

The Senators returned to the Senate Chamber at 12:15 o'clock.

On motion of Senator Boyd the Senate adjourned.

THURSDAY AFTERNOON.

MARCH 5, 1891.

The Senate convened at 2 o'clock p. m., Lieutenant-Governor Chase in the chair.

Senator Chandler presented the following notice:

MR. PRESIDENT:

I give notice that on to-morrow morning I shall move to reconsider the vote by which House Bill No. 466 was postponed indefinitely, and I move that the House be requested to return said bill to the Senate.

Senator Magee moved that when the Senate adjourns it be till this evening at 7:30 o'clock.

The motion prevailed.

Engrossed House Bill No. 660, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Magee moved to suspend the constitutional rule, that the bill be read a third time by sections and placed upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Byrd, Caster, Chandler, Ellison, Ewing, Foley, Francis, Fulk, Gilman, Griffith, Grimes, Hayden, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 37.

Those voting in the negative were:

Senators Clemans, Grose, Hanley, Loveland, and Shockney. Total, 5.

So the constitutional rule was suspended, the bill read a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Wiggs. Total, 33.

Those voting in the negative were:

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Loveland and Shockney. Total, 9.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Magee offered the following resolution:

MR. PRESIDENT:

WHEREAS, This Senate has just learned of the election of that grand old man, John M. Palmer, as Senator from Illinois in the Senate of the United States; therefore, be it

Resolved, That this Senate send greeting to the Illinois Legislature, congratulating it on this much-desired result.

Senator Shockney moved to amend by inserting the words, "the Democratic members."

The ayes and noes being demanded by Senators Shockney and Hanley.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Caster, Clemans, Fulk, Gilman, Grose, Hanley, Kopelke, Loveland and Shockney. Total, 11.

Those voting in the negative were:

Senators Byrd, Chandler, Ellison, Ewing, Foley, Francis, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 30.

So the amendment was lost.

The question recurring on the adoption of Senator Magee's resolution.

The same was adopted.

Engrossed House Bill No. 518 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Morgan, Moore, Mount, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Those voting in the negative were:

Senators McGregor, Shanks and Sweeney. Total, 3.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to return to the Senate, as requested, House Bill No. 466, and Senate Bill No. 206, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Engrossed Senate Bill No. 218 was read a third time.

Senator Loveland made the following motion :

MR. PRESIDENT :

I move to refer Senate Bill No. 218 to a special committee of one, to be amended as follows :

Re-number section 2, making the same section 3, and insert the following :

Section 2. No person performing labor or furnishing material, as specified in this act, shall be entitled to the lien herein provided unless such labor performed or material furnished shall have been so performed or furnished under contract with the owner of the land or his agent duly authorized in writing, or, unless prior to performing such work or furnishing such material under the direction of any other person, he shall have given written notice of such employment to the owner of such land, or to his agent so authorized.

The motion prevailed, and Senator Loveland was appointed as such committee.

Senator Loveland, as the special committee of one, offered the following report :

MR. PRESIDENT :

Your special committee of one, to whom was referred Senate Bill No. 218, respectfully report the same back amended as directed.

LOVELAND,
Special Committee.

The report was concurred in.

The question being, Shall the bill as amended pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Carver, Caster, Ellison, Ewing, Foley, Gilman, Griffith, Grimes, Hanley, Hobson, Howard, Hudson, Jones, Kennedy, Loveland, McHugh, Magee, Moore, Mount, Shockney, Smith, Thompson of Marion, Thompson of Pulaski, and Yaryan. Total, 26.

Those voting in the negative were:

Senators Chandler, French, Fulk, Hayden, Holcomb, Kerth, Kopelke, Lynn, Morgan, Shanks, Sweeney, Thompson of Huntington, and Wiggs. Total, 13.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Grose called up Engrossed House Bill No. 398, and the report of the committee was concurred in.

Senator McHugh moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ewing, Foley, Francis, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 38.

Senator French voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Ewing, Foley, Francis, Gilman, Griffith, Grimes, Grose, Hanley, Holcomb, Howard, Hudson, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Yaryan. Total, 38.

Those voting in the negative were:

Senators Chandler, Fulk, Jackson, Jones. Total 4.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Hanley called up Engrossed House Bill No. 612 and the report of the committee was concurred in.

Senator Hanley then moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Hanley, Hayden, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 37.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Clemans, Ellison, Foley, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hobson, Holcomb, Howard, Hudson, Jackson, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed Senate Bill No. 10 was read a third time.

Senator Hayden made the following motion :

MR. PRESIDENT :

I move that Senate Bill No. 10 be referred to a special committee of one, with instructions to amend the same by inserting in section one, after the word "viz.", in line 14, the following words: "For the erection of a school house for boys, twenty thousand dollars."

HAYDEN.

Senator Fulk moved to reject the motion.

The ayes and noes being demanded.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Chandler, Ellison, French, Fulk, Grose, Holcomb, Jackson, Jones, Kennedy, McGregor, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 19.

Those voting in the negative were :

Senators Boyd, Burke, Byrd, Caster, Clemans, Ewing, Francis, Gilman, Grimes, Hanley, Hayden, Hobson, Howard, Hudson, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Mount, Shockney and Thompson of Pulaski. Total, 24.

So the motion to reject was lost.

The question recurring on the adoption of the motion offered by Senator Hayden.

The motion was adopted.

Senator Hayden was appointed as the special committee.

Senator Hayden, as the special committee, made the following report :

MR. PRESIDENT :

Your special committee of one, to whom was referred Senate Bill No. 10 for amendment, begs leave to report he has made amendment as instructed.

HAYDEN.

The report of the committee was concurred in.

The amendment was considered engrossed.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Clemans, Ewing, Francis, Fulk, Gilman, Griffith, Grimes, Hanley, Hayden, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Mount, Shockney, Thompson of Huntington, Thompson of Pulaski. Total, 31.

Those voting in the negative were :

Senators Akin, Caster, Chandler, Ellison, French, Grose, Kennedy, Moore, Shanks, Smith, Sweeney and Wiggs. Total, 12.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that on this day the Governor returned Enrolled House Bill No. 440 to the House with his message, setting forth therein his reasons for refusing to sign said bill. Thereupon the message was read and spread at large upon the pages of the Journal of the House, and the House immediately proceeded to reconsider said bill and the speaker announced the question before the House to be, Shall the bill pass, notwithstanding the objections of the Governor thereto, and the roll being called, the vote resulted as follows:

Ayes, 69; noes, 22.

And the Speaker of the House then and there announced that said bill had passed, notwithstanding the objections of the Governor thereto, all of which appears in full on the Journal of the House, of this date, and said bill and message are herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following is the Governor's message:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 5, 1891. }

Hon. Mason J. Niblack,

Speaker of the House of Representatives:

SIR—I return House Bill No. 440, entitled “An act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State, and to repeal all laws in conflict therewith,” without my approval.

To me, this bill seems to be unfair, unwise, unjust, unconstitutional and in every point of view, impolitic if we wish to retain republican or democratic institutions in this State.

In the election of 1888, the vote for Presidential electors and the State ticket gave the Republican party, over the Democratic party, a majority of 2,387. In the ninety-two counties of the State the Republicans had majorities in 43 counties, and the Democrats had majorities in 44 counties, as shown by the vote of that year as follows:

A list showing the Democratic and Republican majorities in the several counties of the State, as shown by the vote for Representatives in 1888:

DEMOCRATIC.

Adams.....	1,626
Allen	4,167
Bartholomew	855
Blackford	102
Brown	871
Cass	185
Clark	536
Crawford.....	151
Daviess	37
Dearborn.....	874
Dekalb.....	206
Dubois	1,771
Floyd	922
Franklin	1,132
Fulton	146
Hancock	354
Harrison	366
Jackson.....	916
Johnson.....	418
Knox	614
Laporte	768
Madison.....	386
Marion.....	644
Marshall.....	591
Martin	146
Miami	364
Owen	307
Perry	69
Posey	273
Pulaski ..	183
Putnam	288
Shelby	479
St. Joseph.....	173
Scott	280
Starke	62
Sullivan.....	1,489

Switzerland	88
Tipton	321
Vanderburgh	93
Warrick	162
Washington	541
Wells	1,515
White	127
Whitley	183
Total	25,276

REPUBLICAN.

Benton	196
Boone	268
Clay	86
Clinton	286
Carroll	66
Decatur	229
Delaware	1,826
Elkhart	377
Fayette	446
Fountain	206
Gibson	198
Grant	954
Greene	241
Hamilton	1,206
Huntington	172
Hendricks	943
Henry	1,537
Howard	1,299
Jasper	597
Jay	187
Jefferson	570
Jennings	455
Kosciusko	1,084
Lagrange	752
Lake	115
Lawrence	450
Monroe	247
Montgomery	298
Morgan	410

Newton	412
Noble	20
Ohio	152
Orange.....	139
Parke.....	610
Pike	112
Porter	387
Randolph.....	2,357
Ripley.....	101
Rush	392
Spencer	21
Steuben	950
Tippecanoe.....	697
Union	237
Vermillion.....	336
Vigo.....	255
Wabash.....	1,411
Warren	688
Wayne.....	2,499
<hr/>	
Total.....	27,427
Total (Rep.)	27,427
Total (Dem.).....	25,276
<hr/>	
Republican majority.....	2,151

With these decided majorities in the counties, and by the popular vote, the Democrats returned to the House of Representatives fifty-seven members, whilst the Republicans only returned forty-three. As that election embraced all the Presidential Electors and the State Representatives it must be apparent that the difference in the majorities was caused by the districting the State for Representatives, and that a very successful gerrymander was accomplished by the act of March 6, 1885. A majority of the electors controlled the Presidential election and the State ticket in favor of the Republican party, whilst the districting the State in 1885 for the election of Representatives gave a minority of electors the power to send a majority of State Senators and Representatives to the Legislature, and ten Representatives out of thirteen to Congress.

The election of 1890 could more properly be called a default than an election, as nearly one hundred thousand men remained away from the polls. The Presidential Electors in 1888 received 524,330, and the Secretary of State in 1890 received 448,183 votes. Besides this, at least 20,000 should be added for emigrants and young men coming of age in the two years between these elections, thus showing a default of 96,147 in the last election. It is not important whether other Legislatures, other Governors, and other States have forgotten to obey their oaths to support the Constitution. We are not governed by the law of the vendetta, where one crime demands the perpetration of another; if others have done wrong and forgotten their oaths and the Constitution, why should we debase ourselves to their level, whether they are Republicans or Democrats? Born in this State, I have proudly watched its progress from insignificance and common insult to its present high and proud position as the sixth State in the great galaxy of forty-four independent sovereignties.

I would not have one stain rest upon her escutcheon. I would not, if within my power, permit either or any party to break down the bulwarks upon which our republican institutions have been built. Any law passed by either or any party, in any part of the United States, that gives the power to the minority over a majority, should be held in abhorrence and contempt by every honest freeman, as it would undermine and sap the foundations of all republican governments by the silent and insidious action of party malice and party power. Should it be openly proclaimed that a minority should have the right to rule, every patriot in the land would rush to arms to prevent such an aristocratic usurpation; and where is the difference when such a result is procured by insidious legislation?

The republican institutions of our country have been built and constructed on the broad basis that "all men are free and equal," and any law that confers the power upon a minority to control the legislation of the State is radically unconstitutional, and should be so declared.

It seems to me that political parties are sweltering in the hot-beds of corruption. Officers and positions are bartered, sold and bought for money, and every conceivable plan is resorted to—from the stuffing of the ballot-box to the shotgun,

from the buying of the vote to the chicanery of lifting a minority over the majority of the electors—to procure party ascendancy. I am indicating no particular party for these disloyal practices, for I am sorry to say they are becoming too common with all. Can this current not be checked? Can we not roll back this swelling tide of corruption, and set an example to the State and Nation?

If the districts are honestly and fairly apportioned, there can be no doubt that the majority of the people of the State would have nearly the entire Representatives in Congress, and a majority of Senators and Representatives in both branches of the General Assembly of the State. As the State is now apportioned, the majority of the electors of the State, contrary to our constitution, have no political rights. They are virtually disfranchised and I can not believe that the men of Indiana who love fair play and fair dealing, will long submit to such usurpation and injustice. On your honor, on your oaths of office, I beg you to reconsider this bill and do justice to the people of the State, without distinction of party.

The gerrymander in this bill is still more unjust and unfair than that of 1885 in giving the minority the power to rule the State, and would if painted on a map, excel in its contortions an old maid's crazy quilt. It would be a source of amusement to study its construction and geography, if the consequences that may follow were not so grave and important to the best interests of the present, and future welfare of the State. It should never be forgotten that prosperity and peace rest upon the solid foundation of equality and justice to all.

ALVIN P. HOVEY,
Governor.

Senator Griffith offered the following motion:

MR. PRESIDENT:

I move that the message of the Governor, refusing to sign Engrossed House Act No. 440, and the action of the House thereon, be received and spread of record; that said bill be reconsidered and passed by the Senate, the objections of the Governor to the contrary notwithstanding.

The question being, Shall Engrossed House Bill No. 440 pass, notwithstanding the objections of the Governor?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Chandler, Ellison, Ewing, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski and Wiggs. Total, 82.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 13.

So the bill passed, notwithstanding the Governor's objections.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, IND., March 5, 1891. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 71, the same being "An act for the formation of companies for the detection and apprehension of horse thieves."

No. 372: For the relief of Isaac V. D. R. Johnson, Treasurer of Randolph County.

No. 80: To provide for the appointment of administrators *de bonis non*.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 261, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 216, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 189, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 240, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Resolution No. 6, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Joint Resolution No. 5, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Engrossed House amendments to Senate Bill No. 189 :

MR. SPEAKER :

Your Committee on Apportionment, to which was referred Senate Bill No. 189, report the same back with the recommendation that the word "Jefferson" be stricken out of line two, section 6, and the word "Union" be stricken out of section 6 and the words "Shelby and Rush" inserted in lieu thereof.

That the word "Jefferson" be added to section 5 after the word "Scott."

That the word "Shelby" be stricken out of section 7.

That the word "Rush" be stricken out of section 8 and the word "Union" inserted in lieu thereof, and when so amended that the bill do pass.

CURTIS,
Chairman.

Senate Fulk moved to concur in the amendments to Senate Bill No. 189.

Senator Griffith moved to amend by the following motion :

MR. PRESIDENT :

I move that the Senate refuse to concur in the amendments made by the House to Engrossed Senate Bill No. 189, and that Senators McGregor, Akin and Hubbell be appointed as a conference committee to act with a like committee from the House.

GRIFFITH.

The ayes and noes were demanded by Senators Shockney and Griffith.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Burke, Byrd, Francis, Griffith, Grimes, Holcomb, Hudson, Jackson, Kennedy, Kerth, McGregor, McHugh, Magee, Morgan, Smith, Sweeney, Thompson of Marion, Thompson of Huntington. Total, 18.

Those voting in the negative were :

Senators Akin, Boyd, Caster, Chandler, French, Fulk, Gilman, Grose, Hanley, Hayden, Hobson, Howard, Jones, Kopelke, Loveland, Moore, Mount, Shanks, Shockney, Thompson of Pulaski, and Wiggs. Total, 21.

So the amendment was lost.

The question recurring upon the motion offered by Senator Fulk.

The ayes and noes being demanded.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Chandler, Ellison, Ewing, Francis, French, Fulk, Grimes, Hayden, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 28.

Those voting in the negative were :

Senators Boyd, Burke, Carver, Caster, Clemans, Gilman, Griffith, Grose, Hanley, Hobson, Jackson, Loveland, Lynn, McGregor, Mount, Shockney and Yaryan. Total, 17.

So the House amendments to Senate Bill No. 189 were concurred in.

Engrossed House Bill No. 261, entitled :

An act providing for the appointment of Probate Commissioners by Judges of the Circuit Courts in all counties of the State containing a voting population of over 80,000, as shown for Secretary of State at the last preceding election, defining the duties of such Commissioners and their terms of office, providing for their removal and in what manner their salaries shall be fixed and paid, and how and when their services may be dispensed with; empowering the Judges of said Courts to make and enforce certain rules in relation to probate business and invest such Commissioners with certain powers and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Burke, chairman of Committee on Judiciary, made the following report on Engrossed House Bill No. 658 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 653, introduced by Representative Leyden, beg leave to report the same back, with the recommendation that the bill pass.

The report of the committee concurred in, the bill read a second time and passed to a third reading.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Engrossed House Bill No. 628 :

MR. PRESIDENT :

Your Committee on Judiciary recommend the passage of Engrossed House Bill No. 628.

The report of the committee was concurred in, the bill read a second time and passed to a third reading.

Senator Burke, chairman of Committee on Judiciary, also made the following report on Engrossed House Bill No. 130 :

MR. PRESIDENT :

Your Committee on Judiciary recommend the passage of Engrossed House Bill No. 130.

The report of the committee was concurred in, the bill read a second time and passed to a third reading.

Senator Burke, chairman of the Committee on Judiciary, also made the following report on Engrossed House Bill No. 442 :

MR. PRESIDENT :

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 442, introduced by Representative Curtis, beg leave to report the same back with the recommendation that the bill pass.

The report of the committee was concurred in, the bill read a second time and passed to a third reading.

Senator Burke, chairman of the Committee on Judiciary, also made the following report on Engrossed House Bill No. 504 :

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 504, recommend that the same do pass.

The report of the committee was concurred in, the bill read a second time and passed to a third reading.

Engrossed House Amendments to Senate Bill No. 38 :

Amend section 1, by adding the following: *Provided further*, That before any such change is made, said Commissioners shall first secure the consent and agreement of the contractor, that said change may be made and shall in no manner affect the contract heretofore made, and the work shall be prosecuted and done under the terms and stipulations of the said contract without any additional cost to the State: *And provided further*, That before any such change is made, said Commissioners shall give bond with surety to be approved by the Auditor of State, each in the sum of five thousand dollars, that they will complete said improvement when the changes herein authorized and made, for and within the limits of the appropriations heretofore made.

The amendments were concurred in.

Engrossed House Amendments to Senate Bill No. 216 :

First. After the word "thereto," on line 2, page 3, insert the words "to construct."

Second. After the word "appropriated," on line 7, page 3, insert the following: "Upon the payment of damages as now provided by law."

Third. After the word "company," on line 10, page 3, insert the word "person."

Fourth. On line 17, page 5, strike out the word "apportionment," and insert in lieu thereof the word "enforcement."

The amendments were concurred in.

Senator Thompson, of Pulaski, offered the following resolution :

MR. PRESIDENT:

I offer the following resolution, and move its adoption :

WHEREAS, Lewis Simpson has served faithfully as Assistant Doorkeeper of the Senate since the organization of the Senate, and,

WHEREAS, The records show that he was employed several days after the organization of the Senate, and,

WHEREAS, He will only receive pay from the date of his employment; therefore,

Be it resolved by the Senate, That he receive the regular pay as Assistant Doorkeeper from the day of the organization of the Senate.

THOMPSON, of Pulaski.

The motion was adopted.

Senator Byrd offered the following resolution :

MR. PRESIDENT:

I offer the following resolution :

WHEREAS, The Minute Clerk of the Senate of the Fifty-seventh General Assembly of Indiana has been compelled to work extra hours each day, Sundays included, in order that the work be kept up and properly done, and that said work is difficult, that this Senate recognizing the fact that labor should be properly rewarded; therefore,

Be it resolved, That J. B. Workman, Minute Clerk, be allowed one dollar per day extra for each day so employed.

BYRD.

The resolution was adopted.

Senator Chandler offered the following resolution :

MR. PRESIDENT:

I offer the following resolution and move its adoption :

Resolved, That Mr. R. F. Stuart, the reading clerk, be allowed the sum of \$150, extra pay for the arduous labors of said posi-

tion, so satisfactorily rendered, and the Assistant Secretary is hereby authorized and directed to draw his warrant in favor of said clerk for the above amount.

CHANDLER.

The question being on the adoption of Senator Chandler's resolution.

The ayes and noes being demanded by Senators Jones and Shockney.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Burke, Byrd, Chandler, Ewing, Foley, Francis, French, Gilman, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington and Thompson of Pulaski, and Wiggs. Total, 30.

Those voting in the negative were :

Senators Akin, Boyd, Carver, Caster, Ellison, Fulk, Grose, Hanley, Hobson, Jones, Kennedy, Loveland, McGregor, Moore and Yaryan. Total, 15.

So the resolution was adopted.

Engrossed House Bill No. 657, together with the report of the committee thereon, was read a second time.

The report was concurred in.

Senator Hanley moved that the constitutional rule be suspended, the bill read a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Ellison, Ewing, Foley, Francis, Fulk, Grimes, Grose, Hanley, Hayden, Hobson, Holcomb, Howard, Hudson, Jackson, Jones,

Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total 42.

No Senator voting in the negative.

So the constitutional rule was suspended, Engrossed House Bill No. 657 read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver Caster, Chandler, Clemens, Ellison, Ewing, Foley, Francis, French, Fulk Gilman, Grimes, Grose, Hanley, Hayden, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total 44.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Hays was granted leave of absence.

Senator Ewing moved to suspend the regular order of business for the introduction and passage of bills.

The ayes and noes being demanded by Senators Boyd and Ewing.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 81.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Gilman, Grose, Hanley, Hobson, Loveland, Mount and Yaryan. Total, 10.

So the regular order of business was suspended.

Senator Ewing introduced Senate Bill No. 377, entitled :

A bill for an act abolishing the Board of Trustees for the Eastern Indiana Hospital for the Insane, creating a Board of Trustees for the Eastern Indiana Hospital for the Insane, the manner of electing said Board and declaring an emergency.

Read first time.

Senator Ewing moved that the constitutional rules be suspended, the bill be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 84.

Those voting in the negative were :

Senators Boyd, Clemans, Gilman, Hanley, Hobson, Loveland, Mount, Shockney and Yaryan. Total, 9.

So the constitutional rule was suspended, the bill read a second time by title and a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth,

Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

Those voting in the negative were :

Senators Boyd, Clemans, Gilman, Loveland and Shockney. Total, 5.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Howard called up Engrossed House Bill No. 326.

The report of the committee concurred in, the bill read a second time and amendments considered engrossed.

Senator Howard moved that the constitutional rule be suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Caster, Chandler, Ellison, Ewing, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hobson, Holcomb, Howard, Hudson, Jackson, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Thompson of Pulaski. Total, 34.

Senator Foley voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, French, Fulk, Gilman, Grimes, Grose, Hanley, Hayden,

Hobson, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 35.

Those voting in the negative were :

Senators Foley and Kopelke. Total, 2.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator McGregor called up Engrossed House Bill No. 559.

The report of the committee was concurred in, and the bill read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grose, Hanley, Hayden, Hobson, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, March 5, 1891. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Act No. 287, the same being: An act concerning public offenses.

No. 203: For the protection of birds.

No. 50: To authorize cities to lay out and improve public parks.

No. 170: An act in relation to the construction of jails.

No. 182: In relation to the taxation and protection of domestic animals.

No. 70: To provide a remedy for attempted taxation of Indian lands not subject to taxation.

No. 181: Regulating the payment of certain employes once every two weeks.

No. 250: In relation to the election of church wardens and vestrymen.

W. B. ROBERTS,
Private Secretary.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT. }
INDIANAPOLIS, March 5, 1891. }

Hon. Ira J. Chase, President of the Senate :

SIR—I herewith return Senate Bill No. 189, entitled “ An act to divide the State of Indiana into Congressional districts,” without my approval. I decline to approve this bill for reasons given in my veto on return of House Bill No. 440.

ALVIN P. HOVEY,
Governor.

Senator McHugh offered the following motion :

MR. PRESIDENT :

I move that the message of the Governor in relation to Senate Bill No. 189 be received and spread upon the record, that the Senate proceed to reconsider its action with reference thereto, and that the bill do pass, notwithstanding the objections of the Governor.

The question being, Shall Senate Bill No. 189 pass, notwithstanding the objections of the Governor?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Hudson, Jones, Kenneay, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 33.

Those voting in the negative were :

Senators Boyd, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hobson, Loveland, Mount, Shockney. Total, 11.

So the bill passed, notwithstanding the objections of the Governor.

Senator Boyd offered the following resolution :

WHEREAS, The minority in this Senate Chamber are reliably and creditably informed that General Palmer, of Illinois, has not been elected United States Senator, and that the Legislature of the State of Illinois has not yet succeeded in naming a United States Senator; therefore be it

Resolved, That the Democratic members of this Senate withhold telegram of congratulation until such time as they are directed to telegraph by the Republican members of the Senate.

Boyd.

The resolution was adopted.

Engrossed House Bill No. 359 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin Boyd, Burke, Byrd, Caster, Chandler, Clemans, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Sweeney, Thompson, of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

No senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 42, together with the report of the committee thereon, was read a second time.

Senator Hudson moved to suspend the constitutional rule, that the bill be read a third time by sections and put upon its passage.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Holcomb, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 42.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hobson, Howard, Hudson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 38.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Hobson called up Engrossed House Bill No. 187.

The report of the committee was concurred in, and the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Clemans, Ellison, Foley, Francis, Fulk, Gilman, Griffith, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 38.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed House Bill No. 570, together with the report of the committee thereon, was read a second time.

The report was concurred in.

Senator Holcomb moved that the constitutional rule be suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Clemans, Ellison, Francis, French, Fulk, Gilman, Grimes, Grose, Hanley, Hayden, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 39.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Clemans, Ellison, Ewing, Francis, Fulk, Griffith, Grimes, Hayden, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski and Wiggs. Total, 31.

Those voting in the negative were:

Senators Foley, Grose, Hanley, Hobson, Hudson, Thompson of Marion, and Yaryan. Total, 7.

So the bill passed.

The title to the bill was adopted as the title to the act.

On motion of Senator McHugh, the Senate adjourned.

THURSDAY EVENING.

MARCH 5, 1891.

The Senate convened at 7:30 o'clock p. m., Lieutenant-Governor Chase in the Chair.

Senator Kerth, chairman Committee on Cities and Towns, made the following report on Engrossed House Bill No. 540:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 540, introduced by Representative Baker, beg leave to report the same back with the recommendation that the bill do pass.

KERTH,
Chairman.

The report was concurred in, and the bill read a second time.

Senator Kerth, chairman of the same committee, also offered the following report on Engrossed House Bill No. 509 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 509, introduced by Representative Erwin, beg leave to report same back with the recommendation that the bill do pass.

KERTH,
Chairman.

The report was concurred in and the bill read a second time.

Senator Kerth, chairman of the same committee, also offered the following report on Engrossed House Bill No. 543 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 543, introduced by Representative Fippen, beg leave to report the same back with the recommendation that the bill do pass.

The report was concurred in and the bill read a second time.

Senator Kerth, chairman of the same committee, also offered the following report on Engrossed House Bill No. 601 :

MR. PRESIDENT :

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 601, introduced by Representative Hench, beg leave to report the same back with the recommendation that the bill do pass.

KERTH,
Chairman.

The report was concurred in and the bill was read a second time.

Senator Chandler, chairman Committee on Insurance, presented the following report on Engrossed House Bill No. 596 :

MR. PRESIDENT :

Your Committee on Insurance, to whom was referred Engrossed House Bill No. 596, introduced by Representative Sleeper, beg leave to report the same back with the recommendation that the bill pass.

CHANDLER,
Chairman.

The report was concurred in, and the bill was read a second time and passed to a third reading.

Senator Magee, chairman Committee on Finance, presented the following report on Engrossed House Bill No. 264 :

MR. PRESIDENT :

Your Committee on Finance recommend the passage of Engrossed House Bill No. 264.

MAGEE,
Chairman.

The report was concurred in, and the bill read a second time and passed to a third reading.

Senator Mount presented the following remonstrance :

To the Senate of the State of Indiana :

The undersigned residents of Frankfort, Clinton County, Indiana, holders of policies of life insurance, and others, respectfully remonstrate against the passage of any bill imposing additional taxation upon life insurance companies. We see no reason why the provision made by self-denying citizens for the welfare of their families in case of death should be burdened by taxation. We believe that it is contrary to a wise policy to impose any tax upon life insurance beyond what may be necessary to pay the expenses of official supervision.

Signed by John F. Kramer and numerous others.

Referred to Committee on Insurance.

Senator Thompson, of Marion, called up Engrossed House Bill No. 261, and the report of the committee was concurred in.

Senator Thompson moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Foley, French, Fulk, Gilman, Grimes, Grose, Hanley, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 88.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Clemans, Foley, Fulk, Gilman, Grimes, Hanley, Hayden, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 87.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Yaryan offered the following resolution:

WHEREAS, The report of the Fish Commissioner for the State of Indiana for the year 1890 is one of great value and importance to the public, and as the number of copies published being limited to one thousand copies; therefore, be it

Resolved by the Senate, the House concurring, That the Board of the Commissioners of the Public Printing and Binding be directed to cause to be published five thousand copies of same in pamphlet form for distribution by the Fish Commissioner.

On motion of Senator Akin the resolution was laid on the table.

Engrossed House Bill No. 332 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called which resulted as follows :

Those voting in the affirmative were :

Senators Byrd, Foley, French, Harlan, Hayden, Howard, Hudson, Jackson, Jones, Loveland, McHugh, Smith, Sweeney, and Thompson of Huntington. Total, 14.

Those voting in the negative were :

Senators Akin, Boyd, Burke, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hobson, Holcomb, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Mount, Shanks, Shockney, Thompson of Marion, Thompson of Pulaski, Wiggs and Yarnan. Total, 32.

So the bill failed to pass.

Senator Griffith, chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Acts Nos. 170, 182, 70, 131, 250, 203, 122 and 50, and Enrolled House Act No. 558, have carefully examined the same and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Enrolled Senate Acts numbered 170, 182, 70, 131, 250, 203, 122 and 50, and Enrolled House Act numbered 558.

Senator Griffith, chairman of Committee on Enrolled Bills, made the following report :

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that after Enrolled Senate Acts numbered 170, 182, 70, 181, 250, 203, 122 and 50, and Enrolled House Act numbered 558 were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this March 5th, 1891.

F. M. GRIFFITH,
Chairman.

Senator Griffith, chairman of Committee on Enrolled Bills, made the following report :

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Act numbered 189, have carefully examined the same and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Enrolled Senate Act No. 189.

Engrossed House Bill No. 111 was read a third time by sections, and put upon its passage.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Hays, Holcomb, Hudson, Jackson, Kennedy, Kerth, McGregor, McHugh, Magee, Moore, Mount, Shockney, Smith, Thompson of Marion, Thompson of Pulaski, and Wiggs. Total, 28.

Those voting in the negative were :

Senators Akin, Francis, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hobson, Howard, Jones, Kopelke, Loveland, Lynn, Morgan, Shanks, Sweeney, Thompson of Huntington, and Yaryan. Total, 20.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Burke moved to reconsider the vote just taken, and to lay that motion on the table.

The ayes and noes being demanded by Senators Ewing and McHugh.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Caster, Clemans, Ellison, Foley, French, Fulk, Hays, Hobson, Holcomb, Hudson, Jackson, Kennedy, Kerth, Lynn, McGregor, Magee, Moore, Mount, Shanks, Shockney, Smith, Thompson of Pulaski, and Wiggs. Total, 27.

Those voting in the negative were:

Senators Akin, Chandler, Ewing, Francis Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Howard, Hubbell, Jones, Kopelke, Loveland, McHugh, Morgan, Sweeney, Thompson of Huntington, and Yaryan. Total, 21.

So the motion of Senator Burke prevailed.

Engrossed Senate Bill No. 260 was read a third time.

Senator Burke offered the following motion:

MR. PRESIDENT:

I move to refer Engrossed Senate Bill No. 260 to a special committee of one, with instructions to strike out the word and figures, "Section 240" and insert in lieu thereof "Section 1." And insert after the enacting clause the following:

"That section 1 of an act entitled "an act concerning the punishment of women and girls convicted of crimes, misdemeanors, or violations of any city ordinance," approved March 11, 1867, be and the same is hereby amended so as to read as follows: Section 1.

The motion was adopted.

Senator Burke was appointed as such committee.

Senator Burke, as special committee of one, made the following report on Engrossed Senate Bill No. 260:

MR. PRESIDENT :

Your special committee of one, to whom was referred Engrossed Senate Bill No. 260, with instructions to make certain amendments in said bill, beg leave to report the same back with the amendments made to said bill, as requested.

The report was adopted.

The question being on the passage of Engrossed Senate Bill No. 260. The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemons, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 47.

No Senator voting in the negative.

So the bill passed.

Senator Burke offered the following motion :

MR. PRESIDENT :

I move to refer Engrossed Senate Bill No. 260 to a special committee of one, with instructions to amend the title so as to read as follows : "A bill for an act to amend section 1 of an act entitled, 'an act concerning the punishment of women and girls convicted of crimes, misdemeanors, or violations of any city ordinance,' approved March 11, 1867, the same being section 6240 of the Revised Statutes of 1881."

The motion prevailed, and Senator Burke was appointed as such committee.

Senator Burke made the following report :

MR. PRESIDENT :

Your special committee of one, to whom was referred Engrossed Senate Bill No. 260, with instructions to make certain amendments in said bill, beg leave to report the same back with amendments made to said bill as requested.

The report was concurred in.

The title to the bill as amended was ordered to stand as the title to the act.

Engrossed House Bill No. 492, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Jones moved to suspend the constitutional rule, that the bill be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Hobson, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 44.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 400 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Clemans, Ellison, Foley, French, Fulk, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Hubbell, Hudson, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Mount, Shockney, Smith, Sweeney, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Those voting in the negative were:

Senators Burke, Chandler, Ewing, Howard, Jackson, Jones, Kennedy and Shanks. Total, 8.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

On motion of Senator Burke, the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of State.

FRIDAY MORNING.

MARCH 6, 1891.

The Senate convened at 9 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Rev. D. R. Lucas, of the Central Christian Church, Indianapolis.

After the reading of a portion of the Journal, on motion of Senator McHugh, the further reading of the same was dispensed with. .

Engrossed Senate Bill No. 357 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Carver, Caster, Chandler, Clemans, Ellison, Francis, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hobson, Holcomb, Jones, Kennedy, Kerth, Kopelke, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 34.

Senator Sweeney voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 125 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Caster, Chandler, Clemans, Francis, French, Fulk, Gilman, Grimes, Grose, Hanley, Hayden, Hobson, Holcomb, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 33.

Those voting in the negative were :

Senators Carver, Ellison and Shockney. Total, 3.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senate Bill No. 256, together with the report of the committee thereon, was read a second time.

The report was concurred in.

Senator Kopelke offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 256 by inserting in line 10, of the printed bill, after the words "whether by," the following words: "purchase, grant."

The amendment was adopted.

Senator Kopelke moved that the constitutional rule be suspended, the bill with the amendments considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Caster, Chandler, Ellison, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Howard, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 86.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill with amendments considered engrossed, the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Clemans, Ellison, Foley, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hobson, Howard, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 87.

Those voting in the negative were :

Senators Carver and Caster. Total 2.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Loveland called up Engrossed House Bill No. 186.

The report of the committee was concurred in.

Senator Loveland offered the following amendment and moved its adoption :

MR. PRESIDENT :

I move to amend House Bill No. 186, by inserting the words "Section 1," before the enacting clause, and striking out the words : "Section 1," immediately following said clause. Also, by inserting the word "fraudulently" in line 6, section 1, after the word "shall" and before the word "receive." Also, by striking out the words, "and declaring an emergency," from the title.

Which was adopted.

Senator Loveland moved that the constitutional rule be suspended, the bill with amendments read a second time and considered engrossed, the bill read a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Clemans, Ellison, French, Fulk, Gilman, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan, Total 39.

Senator Shockney voting in the negative.

So the constitutional rule was suspended, the bill read a second time, considered engrossed, read a third time by sections and put upon its passage.

Senator Hays offered the following amendment and moved its adoption:

MR. PRESIDENT:

I move that Engrossed House Bill No. 186 be referred to a committee of one, with instructions to amend by striking out Sec. 2 of said bill and to renumber the sections to correspond with said amendment.

The motion prevailed, and Senator Hays appointed as such special committee.

Senator Hays, as the special committee of one, offered the following report:

MR. PRESIDENT:

Your committee of one, to which was referred Engrossed House Bill No. 186, would report that he has amended the same, by striking out Sec. 2 and renumbered the sections as directed by the Senate.

The question being, Shall the bill as amended pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemens, French, Fulk, Gilman, Grose, Harlan, Hays, Hobson, Holcomb, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 34.

Those voting in the negative were:

Senators Caster, Hanley and Shockney. Total, 3.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 114 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 120 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 363 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 550 and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 123, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 350, and the same is herewith transmitted for the action of the Senate. .

THOS. J. NEWKIRK,
Clerk.

Engrossed House Bill No. 550, entitled :

An act for the relief of G. M. Ballard, and declaring an emergency.

Read first time and referred to Committee on Claims.

Engrossed House Bill No. 120, entitled :

A bill for an act concerning the duties and compensation of the Reporter of the Supreme Court, and the publication and sale of the reports by the State ; also, defining certain duties of the Commissioners of Public Printing and Binding, and the Secretary and Treasurer of State.

Read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 114, entitled :

A bill for an act exempting honorably discharged Union soldiers and sailors from work on the public highways, and declaring an emergency.

Read the first time and referred to Committee on Military Affairs.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, March 6, 1891. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 122, the same being "An act concerning powers and duties of cities."

Very respectfully,

W. B. ROBERTS,
Private Secretary.

Engrossed Senate Bill No. 213 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, French, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 89.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Burke offered the following memorial:

UTICA, IND., March 5, 1891.

Hon. F. B. Burke:

DEAR SIR—Last week we wrote you a letter in regard to the storm that passed through our town, in regard to assistance, and have heard nothing from you. Now, we done this because we needed it, and have tried to collect for those that suffered, and have been told that Indiana can take care of her sufferers, and that is the reason we applied to you. Please acknowledge this.

DR. L. L. WILLIAMS,
Chairman Relief Corps.

T. R. MORROW,
Secretary.

Referred to Committee on Finance.

Engrossed House Bill No. 565, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator McHugh moved to suspend the constitutional rule, that the bill be read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 35.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Burke, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Jones, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 26.

Those voting in the negative were:

Senators Akin, Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Harlan, Hobson, Jackson, Kennedy, Loveland, McGregor, Moore, Mount and Shockney. Total, 17.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator McHugh moved to indefinitely postpone Senate Bill No. 307.

The motion was adopted.

Senate Bill No. 851, together with the report of the committee thereon, was read a second time.

The report was concurred in.

Senator Magee moved that the constitutional rule be suspended, the bill considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Caster, Clemans, Ellison, Foley, French, Fulk, Gilman, Grimes, Harlan, Hayden, Hobson, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 84.

So the constitutional rule was suspended, the bill considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Ellison, French, Fulk, Grimes, Grose, Harlan, Hayden, Hobson, Holcomb, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 84.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Harlan was granted leave of absence until to-morrow morning.

Engrossed House Bill No. 24, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Morgan moved to suspend the constitutional rule, that the bill be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemons, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 37.

So the constitutional rule was suspended.

Senator Morgan offered the following motion:

MR. PRESIDENT:

I move that House Bill No. 24 be referred to a committee of one to number sections.

MORGAN.

The motion was adopted.

Senator Morgan was appointed as the special committee.

Senator Morgan, as the special committee, made the following report:

MR. PRESIDENT:

Your committee of one, to whom was referred House Bill No. 24, beg leave to report that the same has been amended as directed.

MORGAN.

The report of the committee was adopted.

The bill was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hayden, Hobson, Holcomb, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 38.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Boyd offered the following resolution:

WHEREAS, It has been declared by the President of the Senate, and concurred in by the members thereof, that members of the press are members of the Senate, and

WHEREAS, The said members of the Press have served with signal regularity and fidelity, and have reported the proceedings with absolute fairness and correctness, and

WHEREAS, The Assistant Secretary has refused to draw the warrants to which the press Senators of this body are entitled: therefore,

Be it resolved, That the salaries of the press gang be fixed at six dollars per day to date from the first day of the session, and that the Assistant Secretary is hereby instructed to draw the necessary warrants.

Read and referred to chairman of the Committee on Finance.

Engrossed House Bill No. 88, together with the report of the committee thereon, was read a second time.

The report was concurred in.

Senator Moore moved that the constitutional rule be suspended, that the bill be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Caster, Chandler, Clemans, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hobson, Holcomb, Jackson, Jones, Kennedy, Kerth, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

Senator Kopelke voting in the negative.

So the constitutional rule was suspended.

Senator Morgan moved to refer Engrossed House Bill No. 88 to a committee of one to renumber the sections.

Which was adopted.

Senator Griffith was appointed as such committee.

Senator Griffith, as special committee of one, made the following report:

MR. PRESIDENT:

Your committee of one, to whom was referred Engrossed House Bill No. 88, have amended said bill as directed by the Senate.

The report was adopted.

The bill was read a third time.

Senator Magee moved to refer Engrossed House Bill No. 88 to a committee of one to amend by striking out the emergency clause.

Senator Griffith was appointed as such committee.

Senator Griffith, as special committee of one, made the following report:

MR. PRESIDENT:

Your committee to whom was referred Engrossed House Bill No. 88, with direction to amend said bill by striking out the emergency clause, would report that said bill has been amended as directed.

The report was adopted.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Byrd, Carver, Caster, Chandler, Clemons, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Hobson, Kennedy, Kerth, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 33.

Those voting in the negative were :

Senators Holcomb and Kopelke. Total, 2.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Howard was granted leave of absence for to-day to act on conference committee.

Engrossed House Bill No. 397 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Byrd, Carver, Caster, Chandler, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Hayden, Hays, Holcomb, Hudson, Jones, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 34.

Senator Akin voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House requests the Senate to appoint a committee of three of its members to confer with a like committee from House, upon

House Bill No. 454, being the co-employees act, and that the House has appointed as its members of said committee, Messrs. Erwin, Glessner and Lindemuth.

THOS. J. NEWKIRK,
Clerk.

Senator Mount offered the following motion :

MR. PRESIDENT :

I move to reconsider the action of the Senate on House Bill No. 511, and that said bill be recalled from the House.

Which motion was adopted.

Engrossed House Bill No. 274 was read a third time and put upon its passage.

Senator Akin offered the following motion :

MR. PRESIDENT :

I move to refer House Bill No. 274 to Senator Smith, with instructions to strike out the emergency clause.

The motion was adopted and the bill so referred.

Senator Smith, as the committee of one, offered the following report :

MR. PRESIDENT :

Your committee to whom was referred House Bill No. 274, with instructions to amend by striking out section 6, beg leave to report that the bill has been amended as directed.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Burke, Byrd, Caster, Chandler, Clemans, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hayden, Hays, Hobson, Hubbell, Jackson, Kennedy, Kerth, Koppelke, Lynn, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 34.

Those voting in the negative were :

Senators Hanley, Hudson and Jones. Total, 3.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed House Bill No. 357 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Caster, Chandler, Foley, Francis, Gilman, Grimes, Grose, Hayden, Hays, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Senator Fulk voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Francis, chairman of the Committee on Railroads, made the following report on House Bill No. 121:

MR. PRESIDENT:

Your Committee on Railroads have had House Bill No. 121 under consideration and would recommend that said bill do pass.

B. F. CLEMANS,
THEO. SHOCKNEY,
F. M. GRIFFITH,
A. GRIMES,
H. H. FRANCIS.

The report of the committee was concurred in.

Senator Thompson, of Huntington, called up Engrossed House Bill No. 530.

The report of the committee was concurred in, and the bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Carver, Caster, Chandler, Foley, Francis, Fulk, Gilman, Grimes, Grose, Hayden, Hays, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senate Bill No. 374 was read a third time.

Senator Akin moved to refer to a committee of one to strike out the emergency clause.

The motion was adopted.

Senator Thompson, of Pulaski, was appointed as the special committee.

Senator Thompson, as the special committee, made the following report:

MR. PRESIDENT:

Your special committee of one, to whom was referred Engrossed Senate Bill No. 374, with instructions to amend the same, beg leave to report that he has amended said bill as instructed.

THOMPSON, of Pulaski.

The report was adopted.

Senator Shockney moved to refer Engrossed Senate Bill No. 374 to Senator Hays to make amendments. Which motion prevailed.

Senator Hays, as the special committee, presented the following report:

Senators Hanley, Hudson and Jones. Total, 3.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed House Bill No. 357 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Caster, Chandler, Foley, Francis, Gilman, Grimes, Grose, Hayden, Hays, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Senator Fulk voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Francis, chairman of the Committee on Railroads, made the following report on House Bill No. 121:

MR. PRESIDENT:

Your Committee on Railroads have had House Bill No. 121 under consideration and would recommend that said bill do pass.

B. F. CLEMANS,
THEO. SHOCKNEY,
F. M. GRIFFITH,
A. GRIMES,
H. H. FRANCIS.

The report of the committee was concurred in.

Senator Thompson, of Huntington, called up Engrossed House Bill No. 530.

The report of the committee was concurred in, and the bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Carver, Caster, Chandler, Foley, Francis, Fulk, Gilman, Grimes, Grose, Hayden, Hays, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senate Bill No. 374 was read a third time.

Senator Akin moved to refer to a committee of one to strike out the emergency clause.

The motion was adopted.

Senator Thompson, of Pulaski, was appointed as the special committee.

Senator Thompson, as the special committee, made the following report:

MR. PRESIDENT:

Your special committee of one, to whom was referred Engrossed Senate Bill No. 374, with instructions to amend the same, beg leave to report that he has amended said bill as instructed.

THOMPSON, of Pulaski.

The report was adopted.

Senator Shockney moved to refer Engrossed Senate Bill No. 374 to Senator Hays to make amendments. Which motion prevailed.

Senator Hays, as the special committee, presented the following report:

MR. PRESIDENT:

Your committee of one, to whom was referred Engrossed Senate Bill No. 374, would report that, as instructed by the Senate, he has amended the same by inserting after the word "Indiana," in line two (2) of section one of said bill, the following: That section one (1) of the above-entitled act be amended to read as follows: Section 1. And also by inserting after the word "fact," in line fourteen (14) of said section, the following words: "And may be charged by indictment or affidavit and information," and by inserting after the words "degree of," in line 26 of said section, the words "the same."

Which report was adopted.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Ewing, Foley, Fulk, Gilman, Griffith, Grimes, Hayden, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 36.

Senators French and Holland voting in the negative.

So the bill passed.

Senator Hays offered the following amendment to the title:

MR. PRESIDENT:

I move that the title of Engrossed Senate Bill No. 374 be amended to read as follows:

A bill for an act to amend section 1 of "An act entitled an act to amend section two hundred and thirteen, being section one thousand seven hundred and eighty-eight of the Revised Statutes of 1881, and two hundred and fifteen, being section one thousand seven hundred and eighty-nine of the Revised Statutes of 1881, and repeal section one hundred and sixty,

being section one thousand seven hundred and thirty-four of the Revised Statutes of 1881, of an act entitled "An act concerning proceedings in criminal cases," approved April 19, 1881, approved March 9, 1889.

The amendment was adopted.

The title to the bill, as amended, was ordered to stand as the title to the act.

Engrossed House Bill No. 344 was read a third time.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Caster, Chandler, Foley, Fulk, Gilman, Grimes, Grose, Hayden, Hays, Hobson, Holcomb, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 161, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has amended and passed Senate Bill No. 342, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 115, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, March 6, 1891. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 45, the same being :

“ An act concerning highways and Supervisors thereof.”

W. B. ROBERTS,
Private Secretary.

Engrossed Senate Bill No. 191 was read a third time and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Francis, Fulk, Gilman, Griffith, Grimes, Hayden, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

Senator Hays voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Griffith, chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled House Acts Nos. 343, 424, 552, 518, 636 and 259, and Enrolled Senate Acts Nos. 45 and 377, have carefully examined the same and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Enrolled House Acts numbered 343, 424, 552, 518, 636 and 259, and Senate Enrolled Acts numbered 45 and 377.

Senator Griffith, chairman of Committee on Enrolled Bills, also made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that, after Enrolled House Acts numbered 343, 424, 552, 518, 636 and 259, and Enrolled Senate Acts numbered 45 and 377 were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this March 6, 1891.

F. M. GRIFFITH,
Chairman.

Senator Griffith, chairman of Committee on Enrolled Bills, also made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Joint Resolution No. 4, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Enrolled Joint Resolution No. 4.

Senator Griffith, chairman of the Committee on Enrolled Bills, also made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that, after Enrolled Joint Resolution numbered 4 was signed by the presiding officers of both Houses, they delivered said act to the Governor for his approval, this March 6, 1891.

F. M. GRIFFITH,
Chairman.

On motion of Senator McHugh the Senate adjourned.

FRIDAY AFTERNOON.

MARCH 6, 1891.

The Senate convened at 2 o'clock p. m., Lieutenant-Governor Chase in the chair.

Senator Burke, from the Conference Committee on Engrossed House Bill No. 454, presented the following report:

MR. PRESIDENT:

Your Conference Committee on the part of the House and Senate, appointed to consider House Bill No. 454, have had the same under consideration and report that no agreement has been reached. The House refused to accede to the Senate amendments, and the Senate refuses to recede from the same.

FRANK B. BURKE,
On part of the Senate.
EPH. INMAN,
On part of the House.

Senator Burke moved that the report be adopted and the committee discharged.

Senator Loveland moved as a substitute that the present committee be discharged and another committee of three be appointed.

Senator Loveland's motion prevailed, and the Chair appointed Senators Kopelke, McHugh, and Hubbell as the conference committee.

Senator Griffith, of the conference committee on Engrossed House Bill No. 275, offered the following report, and moved its adoption :

MR. PRESIDENT :

A majority of your committee appointed on the part of the House and Senate to confer touching the Senate amendments to House Bill No. 275, have had the same under consideration, and it is agreed that the Senate shall recede from its amendments to sections 20, 136 and 13; that it recede from the first clause of its amendment to section 8; that the Senate recedes from so much of the Senate amendment to section 18 as allows to the Auditor and Secretary of State ten per cent., and it is agreed seven per cent. shall be inserted in lieu thereof. It is further agreed that the Senate recedes from so much of the Senate amendments to section 19½ as allows to the Attorney-General, for collections in certain cases, twenty per cent., and it is agreed that twelve per cent. shall be inserted in lieu thereof. The House accedes to all other Senate amendments.

JAMES B. CURTIS,

S. R. MOON,

on the part of the House.

F. M. GRIFFITH,

H. H. FRANCIS,

on the part of the Senate.

Senator Kennedy offered the following motion :

MR. PRESIDENT :

I move that the Senate refuse to concur in that part of the report of the conference committee relating to sections 20 and 136 of House Bill No. 275, and that the balance of said report be concurred in, and that the Senate appoint another conference committee to meet with a like committee from the House.

The motion was ruled out of order.

The question recurring, Shall the report be concurred in ?

The ayes and noes being demanded by Senators Burke and Griffith.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Burke, Byrd, Ewing, Foley, Francis, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Kennedy, Kerth, Lynn, McGregor, McHugh, Magee, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 27.

Those voting in the negative were :

Senators Akin, Boyd, Carver, Caster, Chandler, Clemans, French, Fulk, Gilman, Grose, Hanley, Hays, Hobson, Hubbell, Jones, Kopelke, Loveland, Moore, Mount, Shockney and Wiggs. Total, 21.

So the report of the conference committee was concurred in.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has amended and passed Senate Bill No. 109, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 90, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 189, notwithstanding the objections of the Governor thereto, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Also, the following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 72, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Engrossed House Bill No. 72, entitled:

A bill for an act providing for the employment of flagmen at railroad crossings, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

House amendments to Senate Bill No. 109:

Insert on page 2, after the word "unfinished," in line 8, the following: "Any reaping machine, mowing machine, threshing machine, separator, clover huller, wagon, plow, cultivator, or any agricultural or farming implement."

By inserting on page 3, line 1, after the word "fence," the following: "Reaping machine, threshing machine, separator, clover huller, wagon, plow, cultivator, or any agricultural implement."

The amendments were concurred in.

The following are House Amendments to Engrossed Senate Bill No. 342:

Amend section 1, of said bill, by inserting after the word "citizen," on line 1, page 3, of said bill, the words following, "six of whom shall be women." Also, by inserting the words "Secretary of State and Auditor of State" after the word "Governor," in line 3, in section 2.

Also, amend section 1 by striking out of line 9 the words "twenty-six" and inserting the word "thirteen."

Also, by striking out of line 25, of section 2, the word "thirteen" and inserting the word "seven" in lieu thereof.

Also, said bill was still further amended by striking out the words "one hundred thousand dollars" and inserting in lieu thereof the words "forty-five thousand dollars."

Senator Ewing moved to not concur in the House amendments to World's Fair bill, and that a conference committee be appointed.

Senator Burke moved to substitute by concurring in the House amendments to House Bill No. 342.

Senator Ewing demanded the previous question.

The question being, Shall the main question be now put?

The ayes and noes being demanded by Senators Ewing and Burke.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Byrd, Chandler, Ewing, Foley, Francis, French, Fulk, Hayden, Hays, Holland, Howard, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Magee, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 29.

Those voting in the negative were:

Senators Akin, Burke, Carver, Caster, Gilman, Grimes, Grose, Hobson, McGregor, Mount and Shockney. Total, 11.

So the Senate seconded the demand for the previous question.

The question being, Shall the main question be now put?

Which was agreed to.

The question being on the adoption of the substitute offered by Senator Burke.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Burke, French, Fulk, McGregor, Moore and Thompson of Marion. Total, 6.

Those voting in the negative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemens, Ellison, Ewing, Foley, Francis, Gilman, Grimes, Grose, Hayden, Hays, Hobson, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, McHugh, Magee,

Morgan, Mount, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 87.

So the substitute offered by Senator Burke did not prevail.

The question recurring on Senator Ewing's motion to non-concur in the report.

Which motion was sustained.

President Chase appointed Senators Ewing, Magee and Hays, as a Conference Committee on Senate Bill No. 342.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 6, 1891. }

Hon. Ira J. Chase, President of the Senate:

SIR—I return Senate Bill No. 377, being “an act abolishing the Board of Trustees for the Eastern Indiana Hospital for the Insane, creating a Board of Trustees for the Eastern Indiana Hospital for the Insane, the manner of electing said Board, and declaring an emergency,” without my approval. I do not believe that the General Assembly has the constitutional power to elect the Trustees named in this bill.

ALVIN P. HOVEY,
Governor.

Senator Burke moved that the message of the Governor be received and spread upon the Journal, that the Senate reconsider the vote by which Senate Bill No. 109 was passed, and that said bill be passed, notwithstanding the objection of the Governor.

The question being, Shall the bill pass, notwithstanding the objections of the Governor?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Ko-

pelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 84.

Those voting in the negative were :

Senators Boyd, Caster, Gilman, Grose, Hays, Hobson, Hubbell, Loveland, Mount, Shockney and Yaryan. Total, 11.

So the bill passed, notwithstanding the objections of the Governor.

Senator Loveland moved to suspend the regular order.

Senator Foley moved to lay the motion on the table.

Which motion was lost.

Senator Burke demanded the previous question on Senator Loveland's motion.

The question being, Shall the Senate second the demand for the previous question ?

The demand was seconded.

The question then being, Shall the main question be now put?

The same was agreed to.

The question being on the adoption of Senator Loveland's motion.

The same was adopted.

Senate Bill No. 376 was then read a second time.

Senator Kopelke moved that the further consideration of this bill be indefinitely postponed, and on that motion he demanded the previous question.

The question being, Shall the Senate second the demand for the previous question?

The demand was seconded.

The question then being, Shall the main question be now put?

The same was agreed to.

The question being on the indefinite postponement, the roll was called, which resulted as follows :

Those voting in the affirmative were:

Senators Byrd, Chandler, Ewing, Foley, French, Gilman, Griffith, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, Wiggs. Total, 28.

Those voting in the negative were:

Senators Akin, Boyd, Burke, Carver, Caster, Clemans, Ellison, Fulk, Grimes, Grose, Hanley, Hays, Hobson, Moore, Shockney, Yaryan. Total, 16.

So the motion to indefinitely postpone prevailed.

Senator Loveland gave notice that on to-morrow morning at 9 A. M., he would move to reconsider the vote just taken on Senate Bill No. 376.

Senator McHugh moved to reconsider the vote just taken and to lay that motion upon the table.

The ayes and noes were demanded by Senators Akin and Loveland.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Byrd, Chandler, Ewing, Foley, Francis, French, Gilman, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 32.

Those voting in the negative were:

Senators Akin, Boyd, Burke, Carver, Caster, Clemans, Ellison, Fulk, Grose, Hays, Hobson and Loveland. Total, 12.

So the motion prevailed.

Senator Fulk moved to adjourn.

The motion was lost.

Senator Griffith, chairman of Committee on Enrolled Bills, made the following report:

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Acts numbered 363, 38, 240, 314, 216, 350, 90, 148, 161, 189 and 115, and Enrolled House Acts numbered 444, 42, 184, 397, 612, 188, 652, 357, 648, 66 and 44, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Enrolled Senate Acts No. 363, 38, 240, 314, 216, 350, 90, 143, 161, 189 and 115, and Enrolled House Acts Nos. 444, 42, 184, 397, 612, 188, 652, 357, 648, 66 and 44.

Senator Griffith, chairman of Committee on Enrolled Bills, would report, that after Enrolled Senate Acts numbered 363, 38, 240, 314, 216, 350, 90, 143, 161, 189 and 115, and Enrolled House Acts numbered 444, 42, 184, 397, 612, 188, 652, 357, 648, 66 and 44, were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this March 6, 1891.

F. M. GRIFFITH,
Chairman.

Senator Hobson offered the following resolution :

MR. PRESIDENT :

WHEREAS, House Bill No. 640 was introduced into this Senate on the 25th day of February, and, contrary to the request of the author of the bill, it was referred to the Committee on Corporations, at the chairman's request, with a view of putting it to sleep ; and,

WHEREAS, said bill is of local import to the city of Tell City, and was introduced by Representative Zoercher at the request of a unanimous vote of the Common Council of said city, and endorsed by the business men of said city ; and,

WHEREAS, The author has requested the chairman of the Senate Committee on Corporations almost daily to call a meeting of his committee, and said report has never been made ; and now, be it

Resolved, That Engrossed House Bill No. 640 be recalled from the Committee on Corporations, referred to the Senate and ordered to its third reading.

HOBSON.

Senator Hobson moved to adopt the resolution.

Senator Burke moved to lay it on the table.

The motion prevailed.

Engrossed House Bill No. 611 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Francis, French, Fulk, Grimes, Hayden, Hays, Holcomb, Hudson, Jackson, Jones, Kerth, Koppelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mounts, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 37.

Senator Loveland voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Carver moved that when the Senate adjourns it adjourn to meet at 7:30 P. M.

The ayes and noes being demanded by Senators Carver and Hanley.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Byrd, Chandler, Ellison, Ewing, Grose, Hayden, Holland, Hudson, McGregor, Magee, Morgan, Moore, Shanks, Shockney, Thompson of Marion, and Thompson of Pulaski. Total, 17.

Those voting in the negative were:

Senators Boyd, Burke, Carver, Clemans, Foley, French, Fulk, Gilman, Grimes, Hays, Hobson, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Mount, Smith, Sweeney, Thompson of Huntington, and Wiggs. Total, 25.

So the motion was lost.

Engrossed House Bill No. 67, together with the report of the committee thereon, was read a second time.

The report was concurred in.

Senator Carver moved that the constitutional rule be suspended, that the bill be read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Grose, Hayden, Hays, Hobson, Holcomb, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 35.

Senator Holland voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Foley, French, Fulk, Gilman, Grimes, Grose, Hanley, Hayden, Hays, Holcomb, Howard, Hudson, Jackson, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Moore, Mount, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 35.

Those voting in the negative were:

Senators Jones and Shanks. Total, 2.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Morgan moved to reconsider the vote taken on Engrossed House Bill No. 332.

The motion carried.

Engrossed House Bill No. 596 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, French, Fulk, Griffith, Grimes, Grose, Hayden, Hays, Hobson, Holcomb, Howard, Kennedy, Kerth, Kopelke, Lynn, McGregor, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 31.

Those voting in the negative were:

Senators Burke, Ewing, Gilman, Jones, Loveland and McHugh. Total, 6.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Grimes moved that Senate Bill No. 326 be indefinitely postponed.

Which motion prevailed.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, IND., March 6, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 363, the same being:

"An act for the relief of Samuel Williams, ex-Trustee of New Garden Township, Wayne County."

No. 38: In relation to the removal of the limestone ledge in Kankakee river.

No. 240: For the relief of David McWilliams, ex-Deputy Treasurer of Warrick County.

No. 216: Amending certain sections in relation to the incorporation of cities.

No. 350: As to the time of holding court in the Eleventh Judicial Circuit.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, IND., March 6, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 161, the same being:

"An act in relation to the election of Clerks of Circuit Courts."

No. 143: In relation to the preservation of the health of women and girls.

No. 90: In relation to the publication of decisions of the Supreme Court.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

Engrossed House Bill No. 431 was read a second time.

Senator Kopelke moved to reconsider the action of the Senate in adopting the majority report of Engrossed House Bill No. 431.

Which motion carried.

Senator Kopelke moved to adopt the minority report.

Which motion carried.

Senator Kopelke offered the following amendment:

MR. PRESIDENT :

I move that Engrossed House Bill No. 431 be amended as follows : Strike out in section 10, the clause beginning with "to accept from," and ending with "management of such property," being in lines 38 to 41 of the printed bill.

Also, strike out in the same section, fourth clause, all after the word "receives," in line 54 of the printed ; also, strike out in section 11, the words "in its capacity of executor, administrator or guardian, or," in lines 2 and 8 of the printed bill, and also, in the same section, all of the second part beginning with the word "and," in line 8 of the printed, to the end of said section ; also, strike out in section 17, the words "executor, administrator, guardian," in line 2 of the printed bill.

The amendment was adopted.

Senator Kopelke moved that the constitutional rule be suspended, the amendments considered engrossed, the bill read a third time and put upon its passage.

The question being, Shall the constitutional rule be suspended ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Carver, Caster, Chandler, Fulk, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 19.

Those voting in the negative were :

Senators Ellison, Ewing, French, Gilman, Griffith, Grimes, Hayden, Holcomb, Howard, McGregor, Moore, Shanks, and Thompson of Marion. Total, 13.

So the constitutional rule was not suspended.

Senator Ewing moved to indefinitely postpone the further consideration of this bill.

Which was carried.

Engrossed House Bill No. 442 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Ellison, Ewing, French, Fulk, Griffith, Grimes, Grose, Hayden, Hobson, Holcomb, Hudson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 36.

So the bill passed.

The title to the bill was adopted as the title to the act.

House Bill No. 22 was called up and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Caster, Ellison, Griffith, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Howard, Hudson, Kennedy, Loveland, Lynn, McGregor, Moore, Mount, Shockney. Total, 22.

Those voting in the negative were :

Senators Burke, Clemans, Ewing, French, Fulk, Gilman, Hayden, Jones, Kerth, Kopelke, McHugh, Magee, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 20.

So the bill failed to pass for want of a constitutional majority.

Senator Burke moved that the further consideration of this bill be indefinitely postponed, and upon that motion he demanded the previous question.

The demand for the previous question was seconded.

The question being, Shall the main question be now put ?

Which was agreed to.

The question being on indefinite postponement.

The ayes and noes being demanded, the roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Burke, Chandler, Ewing, French, Fulk, Griffith, Hayden, Jones, Kerth, Kopelke, Lynn, Magee, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, and Wiggs. Total, 18.

Those voting in the negative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Ellison, Gilman, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Howard, Hudson, Kennedy, Loveland, McGregor, McHugh, Moore, Mount and Shockney. Total, 23.

So the motion to indefinitely postpone did not prevail.

Senator Fulk offered the following resolution and moved its adoption:

WHEREAS, There will be at the close of this session, a large amount of Journal work, which the Journal force will be unable to complete before the adjournment of this session ;

Be it Resolved, That the Assistant Secretary of the Senate be and the same is hereby authorized to retain his force five days after the close of this session, at the same per diem as is now allowed, to assist him in the completion of the Journal, and that the President of the Senate be and is hereby authorized to issue warrants upon the Auditor of State, to said Assistant Secretary and assistants for said services.

FULK.

The resolution was adopted.

Senator Wiggs offered the following resolution, and moved its adoption :

MR. PRESIDENT:

I offer the following resolution and move its adoption :

WHEREAS, The Journal Clerks of this Senate have been compelled to work numerous evenings and Sunday, to keep up the Journal of each day's proceedings, and

WHEREAS, They have discharged this extra service cheerfully and faithfully, therefore

Be it resolved, That A. E. Humke, J. V. Benz, C. E. Weber and E. F. Geyer, Journal Clerks, be and they are hereby allowed one dollar per day extra for each day of the session, and the Assistant Secretary is hereby authorized to draw his warrants in favor of said Journal Clerks for said amounts.

Senator Ewing offered the following amendment:

MR. PRESIDENT:

I offer the following and move its adoption:

Resolved, That the clerks under the principal and assistant Secretaries be allowed one dollar per day extra during the present session of the Legislature, excepting those who have had extra allowances voted them. And that the Assistant Secretary is hereby ordered to draw his warrant on the treasury for the amount.

Senator Magee moved to lay the resolution and amendment on the table.

The ayes and noes being demanded by Senators Magee and Jones.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Carver, Caster, Clemans, Ellison, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, Magee, Morgan, Moore, Mount, Shanks, Shockney, Thompson of Huntington, Thompson of Pulaski. Total, 27.

Those voting in the negative were:

Senators Burke, Byrd, Chandler, Ewing, French, Fulk, Gilman, Griffith, Hayden, Hudson, McHugh, Thompson of Marion, and Wiggs. Total, 13.

So the motion to lay on the table prevailed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 645, being the appropriation bill, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Engrossed House Bill No. 645, entitled :

A bill for an act making appropriations for the State Government and its Institutions, making certain specific appropriations, directing the application of such appropriations, requiring accounts to be kept by the fiscal years of the State, repealing inconsistent laws, and declaring an emergency.

Read first time and referred to Committee on Finance.

Senator Burke, chairman Committee on Judiciary, presented the following report on Engrossed House Bill No. 120:

MR. PRESIDENT:

Your Judiciary Committee recommend the passage of Engrossed House Bill No. 120.

FRANK B. BURKE,
Chairman.

Senate Bill No. 266, together with the reports of the committee thereon, was read a second time.

Senator Thompson, of Pulaski, moved to adopt the majority report.

Which motion prevailed.

Senator Thompson, of Pulaski, moved to suspend the constitutional rule, that the bill be read a third time and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Foley, French, Hayden, Holcomb, Howard, Hudson, Kennedy, Kerth, Lynn, McHugh, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 20.

Those voting in the negative were :

Senators Boyd, Carver, Caster, Ellison, Fulk, Grimes, Grose, Hanley, Hobson, Jones, Kopelke, Loveland, McGregor, Morgan, Mount and Shockney. Total, 16.

So the constitutional rule was not suspended.

Engrossed Senate Bill No. 341 was read a third time.

On motion of Senator Hays the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

SATURDAY MORNING.

MARCH 7, 1891.

The Senate convened at 9 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by Senator Howard.

After the reading of a portion of the journal, on motion of Senator McHugh the further reading of the same was dispensed with.

Senator Griffith, chairman of Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled House Acts Nos. 344, 660, 187, 359, 530, 125, 559 and 261, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Enrolled House Acts Nos. 344, 660, 187, 359, 530, 125, 559 and 261.

Senator Griffith, chairman of Committee on Enrolled Bills, also made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that after Enrolled House Acts Nos. 344, 660, 187, 359, 530, 125, 559 and 261 were signed by the presiding officers of both houses, they delivered said acts to the Governor this March 7, 1891.

F. M. GRIFFITH,
Chairman.

Senator Jackson, chairman of the Committee on County and Township Business, made the following report on Engrossed House Bill No. 618:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Engrossed House Bill No. 618 introduced by Representative Moss, beg leave to report the same back with the recommendation that the bill do pass.

JACKSON,
Chairman.

The bill, together with the report thereon, was read a second time.

The report of the committee was concurred in.

Senator Jackson, chairman of the same committee, made the following majority report on Engrossed House Bill No. 401:

MR. PRESIDENT:

A majority of your Committee on County and Township Business, to whom was referred Engrossed House Bill No. 401, have had the same under consideration and beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

A. M. JACKSON,
Chairman.

Senator Hobson made the following minority report on Engrossed House Bill No 401 :

MR. PRESIDENT:

A minority of your Committee on County and Township Business have had Engrossed House Bill No. 618 under consideration, and beg leave to report the same back recommending the following amendment, to-wit: Amend section 1 by striking out all after the figures \$3,333.33, in said section, and when so amended that the bill do pass.

HOBSON.

Senator Jackson moved to concur in the majority report.

Senator Hobson moved to substitute the minority for the majority report.

The motion was lost.

The question recurring on the adoption of the majority report.

The report was concurred in.

Senator Fulk, chairman of the Committee on Organization of Courts, offered the following majority report on Engrossed House Bill No. 625 :

MR. PRESIDENT:

Your Committee on Organization of Courts, other than Holland, to whom has been referred Engrossed House Bill No. 625, introduced by Representative Glessner, have had said bill under consideration, and the undersigned majority members of your committee beg leave to report the same back with the recommendation that it be indefinitely postponed.

FULK,
Chairman.

Also, the following minority report was presented :

MR. PRESIDENT:

Your minority member of the Committee on the Organization of Courts, having considered Engrossed House Bill No. 625, introduced by Representative Glessner, beg leave to report recommending that the same do pass.

HOLLAND.

Senator Fulk moved to concur in the majority report.
Which motion prevailed.

Senator Jackson, chairman of the Committee on County and Township Business, offered the following report on Engrossed House Bill No. 638:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Engrossed House Bill No. 638, introduced by Representative Lindemuth, beg leave to report the same back with the recommendation that the bill do pass.

A. M. JACKSON,
Chairman.

The report was concurred in and the bill read a second time.

Senator Chandler, chairman of the Committee on Insurance, offered the following report on Engrossed House Bill No. 418:

MR. PRESIDENT:

Your Committee on Insurance, to whom was referred Engrossed House Bill No. 418, introduced by Representative Beasley, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

CHANDLER,
Chairman.

The report was concurred in.

Senator Wiggs, chairman of Committee on Federal Relations, made the following report on Engrossed House Bill No. 363:

MR. PRESIDENT:

Your Committee on Federal Relations, etc., to whom was referred Engrossed House Bill No. 363, introduced by Representative Robbins, have had same under consideration and we, the majority members of your committee beg leave to report recommending that the bill do pass.

Senator Loveland, from the same committee, made the following minority report on Engrossed House Bill No. 363:

MR. PRESIDENT:

The undersigned, constituting a minority of your Committee on Rights and Privileges, have considered House Bill No. 363, recommend that the same be amended as follows:

First, Add to section 1 the following words:

"But as to such articles the liability shall be governed by the laws already in force."

Second, Strike out all of section 4.

Third, Renumber section 5 by striking out the figure five (5) and inserting the figure four (4) in lieu thereof.

Senator Lynn, chairman of Committee on Military Affairs, made the following report on Engrossed House Bill No. 531:

MR. PRESIDENT:

Your Committee on Military Affairs, to whom was referred Engrossed House Bill No. 531, beg leave to report that they have had said bill under consideration and report the same back with the recommendation that the bill do pass.

Senator French offered the following resolution:

MR. PRESIDENT:

I offer the following resolution and move its adoption:

Resolved, That the chairman of Committee on Judiciary be requested to report Engrossed House Bill No. 602 back to the Senate for its action. Said House Bill being the same *verbatim* as Senate Bill No. 343, recently passed by the Senate.

The resolution was adopted.

Engrossed House Bill No. 332 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Grose, Harlan,

Hayden, Hobson, Holcomb, Holland, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 38.

Senator Hanley voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 618, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Byrd moved to suspend the constitutional rule, that the bill be read a third time by sections, and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Grimes, Harlan, Hayden, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 37.

Senator Hanley voting in the negative.

So the constitutional rule was suspended, the bill read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Hobson, Holland, Howard, Hudson, Jones, Kennedy, Kerth,

Kopelke, Lynn, McGregor, McHugh, Magee, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Wiggs. Total, 33.

Those voting in the negative were:

Senators Caster, Hanley and Mount. Total, 3.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Thompson, chairman of Committee on Affairs of City of Indianapolis, made the following report on Engrossed House Bill No. 335:

MR. PRESIDENT:

Your Committee on Affairs of City of Indianapolis, to whom was referred Engrossed House Bill No. 335, beg leave to report that they have had the same under consideration and recommend that the bill do pass.

The report was concurred in.

Senator Thompson moved that the constitutional rule be suspended, that the bill be read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Grimes, Harlan, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

Those voting in the negative were:

Senators Grose, Hanley and Hobson. Total, 3.

So the constitutional rule was suspended, the bill read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Kerth, Kopelke, McGregor, McHugh, Magee, Morgan, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, and Wiggs. Total, 88.

Those voting in the negative were :

Senators Grose, Hanley and Jones. Total, 3.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

As directed by the House I herewith return to the Senate House Bill No. 511.

THOS. J. NEWKIRK,
Clerk.

Senator Holland, chairman of the Committee on Claims, offered the following report on Engrossed House Bill No. 488 :

MR. PRESIDENT :

Your Committee on Claims, to whom was referred Engrossed House Bill No. 488, introduced by Representative Curtis, having considered the same, recommend that said bill pass.

The report was concurred in, and the bill read a second time.

Senator Holland moved that the constitutional rule be suspended, the bill read a third time and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Clemans, Foley, Francis, French, Fulk, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Hobson, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 39.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Holland, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 38.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Holland, chairman of the Committee on Claims, offered the following report:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred claim of Healy & O'Brien, having considered same, beg leave to report recommending that the said claim be allowed, amounting to \$43.51.

HOLLAND,
Chairman.

The report was concurred in.

Engrossed House Bill No. 394 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Chandler, Ellison, Foley, Francis, French, Fulk, Griffith, Grimes, Hanley, Harlan, Hayden, Hobson, Holland, Hudson, Jackson, Kennedy, Kerth, Kopelke, Loveland, McGregor, McHugh, Magee, Morgan, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 35.

Those voting in the negative were:

Senators Carver, Caster, Gilman, Grose, Holcomb and Jones. Total, 6.

So the bill passed.

The title to the bill was adopted as the title to the act.

The following is House Joint Resolution No. 5:

WHEREAS, From an investigation of the affairs of the Eastern Indiana Hospital for Insane, made by a joint committee from both Houses of this General Assembly, it has been made to appear that George W. Koontz, John S. Martin and Milton C. Benham, trustees of said Eastern Indiana Hospital for Insane, are incompetent to properly manage said institution; therefore,

Be it Resolved by the House of Representatives, the Senate concurring, That George W. Koontz, John S. Martin and Milton C. Benham, trustees of the Eastern Indiana Hospital for Insane, are hereby removed from their offices as trustees of said institution on account of incapacity and negligence, and a vacancy in the office of the several trustees of the Eastern Indiana Hospital for Insane is declared to exist.

ADAMS.

Senator Burke moved the adoption of the resolution.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Ellison, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 42.

Those voting in the negative were:

Senators Holland and Kopelke. Total, 2.

So House Joint Resolution No. 5 was adopted.

Engrossed House Bill No. 264, together with the report of the committee thereon, was read a second time.

The report was concurred in, the bill read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Grimes, Hanley, Hayden, Hobson, Holcomb, Holland, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 42.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Jones offered Concurrent Resolution No. 12 as follows:

MR. PRESIDENT:

I move the adoption of the following concurrent resolution

Resolved by the Senate, the House of Representatives concurring,
That Michael H. Cain, State House Engineer, be and he is hereby authorized and empowered to sell a freight hoist or

elevator, now lying in the basement of the State House, which is unused, and that he be directed to turn the proceeds of the same into the State Treasury.

The resolution was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 377, notwithstanding the objections of the Governor thereto, and the same is herewith transmitted.

THOMAS J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution, No. 18, and the same is herewith transmitted.

THOMAS J. NEWKIRK,
Clerk.

The following House Concurrent Resolution No. 18, was received from the House :

MR. SPEAKER :

I offer the following Concurrent Resolution and move its adoption :

Resolved by the House, the Senate concurring, That the Senate and House of Representatives meet in joint session in the Hall of the House at 12 o'clock noon, Saturday, March 7, 1891, and proceed to elect three trustees for the Eastern Hospital for the Insane at Richmond, one to be elected for the term of four years, and two for the term of two years, and until their successors are appointed, elected and qualified.

The resolution was adopted.

On motion of Senator Burke, the Senate went into a Committee of the Whole, to consider Engrossed House Bill No. 645, with Senator Magee as chairman.

President Chase called the Senate to order at 12 o'clock.

Senator Magee, chairman of the Committee of the Whole, reported progress and asked leave to sit again at 2 o'clock P. M., which was granted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 133, and the same is herewith transmitted.

THOMAS J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 100, and the same is herewith transmitted.

THOMAS J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 330, and the same is herewith transmitted.

THOMAS J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 175, and the same is herewith transmitted for the action of the Senate.

THOMAS J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 213, and the same is herewith transmitted.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 136, and the same is herewith transmitted.

THOS. J. NEWKIRK,
Clerk.

The following message was also received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 95, and the same is herewith transmitted.

THOS. J. NEWKIRK,
Clerk.

The hour having arrived for the Senate to meet the House of Representatives in joint convention in accordance with House Concurrent Resolution No. 18, the Senate repaired to the hall of the House of Representatives to elect three Trustees for the Eastern Indiana Hospital for Insane—one for the term of four years and two for the term of two years.

The Senate and House of Representatives of the Fifty-seventh General Assembly met in joint convention in the hall of the House of Representatives at 12 o'clock, March 7, 1891, Lieutenant-Governor Chase in the chair.

President Chase called the convention to order.

The roll of the Senate being called, the following Senators answered to their names:

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb,

Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

The roll of the House being called, the following Representatives answered to their names :

Representatives Adams, Ader, Aikman, Baker, Beasley, Beauchamp, Beigler, Bowman, Branstetter, Brown of Morgan, Brown of Steuben, Bryant, Byrkit, Callicutt, Calvert, Carroll, Claypool, Cullop, Curtis, Doll, Ebert, Erwin, Farlow, Faulkner, Fippen, Fowler, Fulton, Gent, Gray, Guthrie, Harrell, Heathman, Hench, Huffman, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelley, Kester, Kilgore, Kyle, Latta, Lee, Leyden, Lindemuth, McCullough, Mack, Mathews, Moon, Morris of Henry, Morris of Parke, Moss, Nolan, Officer, Oldham, Oppenheim, Osborn, Osterman, Parker of Hendricks, Patton, Peters, Pickhardt, Robbins, Roscoe, Short, Smith of Owen, Smith of Posey, Stull, Teal, Thompson, Timmons, Trimble, Voigt, Watson, Whittenberger, Wilson, Wright, Zoercher and Niblack. Total, 80.

Nominations for trustee for the Eastern Hospital for Insane, for the term of four years, being in order, Senator Fulk nominated Montgomery Marsh.

There being no other nominations, the roll of the Senate was called, which resulted as follows :

Those voting for Montgomery Marsh were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 35.

The roll of the House was called, which resulted as follows :

Those voting for Montgomery Marsh were :

Representatives Adams, Ader, Baker, Beasley, Beauchamp, Beigler, Bowman, Branstetter, Byrkit, Callicutt, Calvert, Carroll, Cullop, Curtis, Ebert, Erwin, Farlow, Faulkner, Fippen, Fowler, Fulton, Gent, Glessner, Gray, Harrell, Heathman, Hench, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelley, Kester, Kilgore, Kyle, Lee, Leyden, McCullough, Mack, Mathews, Moon, Moss, Nolan, Oppenheim, Osborn, Osterman, Patton, Peters, Pickhardt, Robbins, Roscoe, Rude, Short, Smith of Owen, Smith of Posey, Stull, Teal, Thienes, Thompson, Timmons, Trimble, Voigt, Watson, Work, Wright, Zoercher and Niblack. Total, 67.

Total number of votes cast, 102.

Necessary to a choice, 52.

Montgomery Marsh having received all the votes cast, was therefore declared duly elected Trustee for the Eastern Hospital for the Insane, for the term of four years.

Nominations for Trustee for the Eastern Indiana Hospital for the Insane, for the term of two years, being in order, Representative Branstetter nominated Silas W. Hale.

There being no other nominations, the roll of the Senate was called, which resulted as follows :

Those voting for Silas W. Hale were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 35.

The roll of the House was called, which resulted as follows :

Those voting for Silas W. Hale were :

Representatives Adams, Ader, Baker, Beasley, Beauchamp, Beigler, Bowman, Branstetter, Byrkit, Callicutt, Calvert, Carroll, Cullop, Curtis, Ebert, Erwin, Farlow, Faulkner, Fippen, Fowler, Fulton, Gent, Glessner, Gray, Harrell, Heathman,

Hench, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelley, Kern, Kester, Kilgore, Kyle, Lee, Leyden, McCullough, Mack, Mathews, Moon, Moss, Nolan, Oppenheim, Osborn, Osterman, Patton, Peters, Pickhardt, Robbins, Roscoe, Rude, Short, Smith of Owen, Smith of Posey, Stull, Teal, Thompson, Timmons, Trimble, Voigt, Watson, Wright, Zoercher, Niblack. Total, 66.

Total number votes cast, 101.

Necessary to choice, 51.

Silas W. Hale, having received all the votes cast (101), was declared duly elected Trustee for the Eastern Indiana Hospital for Insane, for the term of two years.

Nominations for a second Trustee for the Eastern Indiana Hospital for Insane, for the term of two years, being in order, Representative Ader nominated James J. Smiley.

There being no other nominations, the roll of the Senate was called, which resulted as follows :

Those voting for James J. Smiley were :

Senators Akin, Burke, Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 35.

The roll of the House was called, which resulted as follows :

Those voting for James J. Smiley were :

Representatives Adams, Ader, Aikman, Baker, Beasley, Beauchamp, Beigler, Bowman, Branstetter, Brown of Morgan, Byrkit, Callicutt, Calvert, Carroll, Cullop, Curtis, Ebert, Erwin, Farlow, Faulkner, Fippen, Fowler, Fulton, Gent, Glessner, Gray, Harrell, Heathman, Hench, Inman, Johnson of Carroll, Johnson of Dearborn, Kelleher, Kelley, Kern, Kester, Kilgore, Kyle, Lee, Leyden, McCullough, Mack, Matthews, Moon, Moss, Nolan, Oppenheim, Osborn, Osterman, Patton, Peters,

Pickhardt, Robbins, Roscoe, Rude, Short, Smith of Owen, Smith of Posey, Stull, Teal, Thompson, Timmons, Trimble, Voigt, Watson, Wright, Zoercher and Niblack. Total, 68.

Total amount of votes cast, 103.

Necessary to a choice, 52.

James J. Smiley having received all the votes cast, was therefore declared duly elected a Trustee for the Eastern Indiana Hospital for the term of two years.

On motion of Senator Byrd the joint convention adjourned *sine die*.

The Senate returned to the Senate Chamber at 12:45 o'clock P. M., and on motion of Senator Griffith the Senate adjourned.

SATURDAY AFTERNOON.

MARCH 7, 1891.

The Senate convened at 2 o'clock P. M., Lieutenant-Governor Chase in the chair.

Engrossed House Bill No. 402 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Hanley, Hayden, Hays, Hobson, Holcomb, Holland, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 36.

Senator Chandler voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Burke, chairman of Committee on Judiciary, presented the following report on Engrossed House Bill No. 72:

MR. PRESIDENT:

Your Judiciary Committee recommend the passage of House Bill No. 72.

BURKE,
Chairman.

The report was concurred in, and the bill was read a second time and passed to a third reading.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 256, and the same is herewith transmitted.

THOS. J. NEWKIRK,
Clerk of the House.

Senator Hays offered the following report:

MR. PRESIDENT:

Your committee appointed to confer with a similar committee appointed from the House with regard to House amendments to Senate Bill No. 842, have had the same under consideration, and have agreed that the House recede from the amendments to said bill.

Senator Fulk moved that when the Senate adjourn, it adjourn to meet at 2 o'clock p. m., Monday next

Senator Kennedy moved to amend the motion by making it 11 o'clock a. m.

Senator Magee moved to amend the amendment by making it 7:30 o'clock this evening.

On motion of Senator Burke the amendment to the amendment was rejected.

The question then being on the adoption of Senator Kennedy's amendment, the same was adopted.

The question recurring on the original resolution as amended, the same was adopted.

The special order for this hour being the further consideration of Engrossed House Bill No. 645, the Senate went into committee of the whole, with Senator Magee as chairman.

President Chase called the Senate to order at 3:15 P. M.

Senator Magee, chairman of the Committee of the Whole, presented the following report:

MR. PRESIDENT:

I am directed by the Committee of the Whole to inform the Senate that the committee has had under consideration Engrossed House Bill No. 645, and recommend the following amendments:

Amend item 1, section 2, by adding at the end of said item the following words, to-wit: "For the salary of the Lieutenant Governor one thousand dollars."

Amend item 9, section 2, by adding at the end of said item the following words: "For the salary of five Appellate Court Judges at thirty-five hundred dollars each, seventeen thousand five hundred dollars, and for the office and chamber expenses of the Appellate Court two thousand dollars, and for the salary of the Sheriff of the Appellate Court five hundred dollars."

Amend by striking out of section 2, on page 16, all of lines 7 to 14 inclusive, it being the intention to strike out all that part of said bill relating to the Indiana Soldiers' and Sailors' Orphans' Home.

Amend item 13, section 2, by striking out the words "thirty-seven" and insert in lieu thereof the words "fifty-seven," as to that portion pertaining to the Department of Geology and Natural Resources.

Amend item 13, section 2, so that the same shall read, "to maintenance and repairs of the Indiana Reform School for Boys, seventy thousand dollars."

Amend section 2, item 14, by striking out the provisions for per diem and mileage of the Lieutenant-Governor.

Amend item 13, page 24, which relates to the expenses of the Department of Geology, by striking out \$1,500 and insert \$1,200, and also to insert for expenses \$600.

Amend by adding the words "State House Engineer" after the word "for" in fixing the allowance for heating the State House.

Amend section 2, item 14, by striking out of said item the following words, to-wit: "For the State Board of Equalization one thousand dollars, out of which shall be paid the per diem of the Lieutenant-Governor as a member of said Board." And insert in lieu thereof the sum of five thousand two hundred dollars to pay the salary and expenses of the State Tax Commissioners and the further sum of one thousand dollars for clerk hire and other expenses.

Amend section 2 by adding to said section the following:

There is hereby appropriated to Moses M. Esty, of Lake County, the sum of sixty-five dollars, to reimburse him for loss by failure of title to land in said county, sold by the State to one A. D. Palmer, and by him to said Esty, which land had before been sold by the State to one George Earle; such sum to be paid him out of the general fund.

Amend section 2, line 218, of item 15, to read eleven thousand seven hundred and sixty dollars.

Amend section 2, item 11, by inserting after the words "for current incidental expenses, two thousand dollars," in relation to the Indiana School for Feeble-Minded Youth, the words, "for the erection of a school for boys, twenty thousand dollars, for the erection of a building for an industrial department, eleven thousand dollars."

Amend by inserting the following: "That there is hereby appropriated for the use of Purdue University, twenty thousand dollars (\$20,000) for the purpose of erecting and equipping a new mechanical laboratory and shops, and for fitting quarters for the Department of Chemistry and the Departments of Pharmacy and Biology; ten thousand dollars of which shall

be paid during the fiscal year ending October 31, 1891, and ten thousand dollars of which shall be paid during the fiscal year ending October 31, 1892.

Amend by inserting at the end of item seventh, pertaining to the State Librarian's office, the following :

To meet a deficiency in the salary of M. J. O'Brien, as janitor of the State Library from April 1, 1888, to April 1, 1889, the sum of one hundred and twenty dollars (\$120).

Amend by adding to the provision concerning the Morton monument the following :

Provided that such monument shall be transferred to a suitable location, to be selected by said commissioners, upon the State House square, and shall be thereafter under the care of the Custodian of the State House.

Amend section 2, item first, in fixing the amount allowed for the Governor's office expenses, so that the same shall read "five hundred dollars."

Amend in section 2, in clause referring to the Governor's civil contingent fund, by making it read "one thousand dollars."

Amend section 2 by adding, preceding the word "provided," the following words :

For the Governor's military contingent fund, two thousand dollars.

Amend by striking out of item 7 of section 1 the provision giving the office of State Librarian the sum of six hundred dollars for a janitor.

And we recommend that when the bill is so amended that it do pass.

RUFUS MAGEE,
Chairman.

The report of the committee was concurred in.

Senator Magee moved that the constitutional rule be suspended, the amendments considered engrossed, the bill read a second time by title, read a third time by sections and put upon its passage, and upon that motion he demanded the previous question.

The question being, Shall the Senate second the demand for the previous question?

The Senate seconded the demand for the previous question.

The question being, Shall the main question be now put?

It was agreed to.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 42.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, the amendments considered engrossed, the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Holcomb, Holland, Hudson, Jackson, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 42.

Those voting in the negative were:

Senators Burke, Carver, Grose, Hobson, and Thompson of Marion. Total, 5.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Ewing, from the Committee on Agriculture, presented the following report on Engrossed House Bill No. 554 :

MR. PRESIDENT :

Your Committee on Agriculture, to whom was referred Engrossed House Bill No. 554, introduced by Representative Matthews, beg leave to report the same back with the recommendation that the bill be indefinitely postponed.

EWING,
Chairman pro tem.

Senator Ewing, chairman pro tem. of the Committee on Agriculture, offered the following report on Engrossed House Bill No. 315 :

MR. PRESIDENT :

Your Committee on Agriculture, to whom was referred Engrossed House Bill No. 315, introduced by Representative Oldham, beg leave to report the bill back recommending that it be indefinitely postponed.

EWING,
Chairman pro tem.

Senator Ewing offered the following resolution and moved its adoption :

MR. PRESIDENT :

Resolved, That the Senate of the State of Indiana take this means and opportunity of extending its unqualified thanks to Governor Ira J. Chase, for the full, fair, unbiassed and able manner in which he has presided over this body, and we further assure him of our love and respect.

The resolution was unanimously adopted.

Senator Hays moved that the roll be called for the introduction of such matters as Senators may have to put before the Senate.

The motion carried.

Senator Loveland was granted a leave of absence for Monday.

Senator Burke called up Enrolled House Bill No. 229, which was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Carver, Caster, Chandler, Ewing, Fulk, Griffith, Grimes, Hayden, Howard, Hudson, Jackson, Jones, Kerth, Lynn, McGregor, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 26.

Those voting in the negative were:

Senators Akin, Ellison, French, Gilman, Hanley, Hays, Hobson, Kennedy, Moore, Yaryan. Total, 10.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Griffith, chairman Committee on Enrolled Bills, presented the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Acts numbered 213, 136, 133, 100, 175, 95 and 115, and House Acts numbered 344, 660, 187, 359, 530, 125, 559 and 261, have carefully examined the same and find them correctly enrolled.

President Chase announced that he had signed Senate Acts Nos. 213, 136, 133, 100, 175, 95 and 115, and House Acts Nos. 344, 660, 187, 359, 530, 125, 539 and 261.

Senator Griffith also presented the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that, after Enrolled House Acts numbered 344, 660, 187, 359, 530, 125, 559 and 261, also Enrolled Senate Acts numbered 213, 136,

133, 100, 145, 95 and 115 were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this March 7, 1891.

F. M. GRIFFITH,
Chairman.

Engrossed House Bill No. 299 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Chandler, Ellison, French, Fulk, Griffith, Grimes, Grose, Harlan, Hays, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Senator Holland voting in the negative.

The bill passed.

The title to the bill was adopted as the title to the act.

Engrossed House Bill No. 244 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Thase voting in the affirmative were:

Senators Akin, Boyd, Carver, Caster, Ellison, Ewing, Francis, Fulk, Gilman, Grose, Hanley, Hayden, Hays, Hobson, Jackson, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 33.

Those voting in the negative were:

Senators Chandler and Jones. Total, 2.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Caster called up Engrossed House Bill No. 221.

Which was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Carver, French, Grose, Harlan, Hays, McGregor, Mount, Shockney, Smith. Total, 11.

Those voting in the negative were :

Senators Burke, Byrd, Chandler, Ewing, Francis, Fulk, Gilman, Grimes, Hanley, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McHugh, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 28.

So the bill failed to pass.

Senator Chandler called up Engrossed House Bill No. 336.

Which was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Carver, Chandler, Ellison, Ewing, Francis, French, Fulk, Gilman, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Hobson, Holcomb, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 40.

Senator Holland voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has appointed Messrs. Cullop, Moss and McDowell, members of a committee to act with a like committee on the part of the Senate, as a conference committee on Senate Bill No. 342, being the World's Fair Bill, the House having refused to pass the same as received from the Senate.

THOS. J. NEWKIRK,
Clerk.

Senator Loveland moved to discharge the first committee.

The motion was adopted.

Senator Burke moved to appoint a new committee to act with those appointed by the House.

The motion was adopted.

The President of the Senate appointed Senators Hudson, Smith and Loveland, as a conference committee on the part of the Senate.

Engrossed House Bill No. 543 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Byrd, Carver, Chandler, Ellison, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hays, Hobson, Holcomb, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Magee, Moore, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

Those voting in the negative were :

Senators Burke, Ewing, Francis, Hayden, Holland, McHugh, Morgan and Smith. Total, 8.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 320 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Byrd, Chandler, Ellison, Ewing, Foley, Francis, French, Fulk, Grimes, Hayden, Holcomb, Holland, Howard, Jackson, Kennedy, Kerth, Kopelke, McGregor, McHugh, Magee, Morgan, Moore, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 27.

Those voting in the negative were:

Senators Burke, Carver, Caster, Gilman, Hanley, Harlan, Hays, Hubbell, Jones, Mount, Shanks, Shockney, Thompson of Marion, and Yaryan. Total, 14.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Burke, chairman of the Committee on Judiciary, made the following report on House Bill No. 602:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Engrossed House Bill No. 602, introduced by Representative Gent, beg leave to report the same back, with the recommendation that the bill be indefinitely postponed.

BURKE,
Chairman.

Engrossed House Bill No. 206 was recalled from the House on third reading.

Senator Francis offered the following amendment to the substitute:

MR. PRESIDENT:

I move to amend "substitute for House Bill No. 206" to read as follows:

After the word "dollars," in line 7, section 202, insert the following:

Provided that the provisions of this section shall not apply to wet or overflowed lands.

Senator Hayden moved to reject the amendment.

Which was lost.

The amendment failed of adoption.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 7, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 136, the same being :

An act legalizing official acts of persons under age acting as deputies to public officers.

Joint Resolution No. 6.

No. 133: In relation to the appointment of Notaries Public.

No. 95: Concerning proceedings in civil cases.

No. 100: Paying judgment in favor of Henry Stacey.

No. 175: Concerning gravel and macadamized roads.

No. 115: Legalizing the acknowledgment of deeds and mortgages in certain cases.

No. 213: Authorizing railroad, plank road and other companies to borrow money by mortgage.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

Engrossed House Bill No. 653 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Holcomb, Hubbell,

Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 39.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Mount called up Engrossed House Bill No. 511.

The report of the committee was non-concurred in.

Senator Mount moved that the constitutional rule be suspended, the bill be read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, Francis, French, Fulk, Gilman, Grimes, Hanley, Harlan, Hobson, Howard, Hubbell, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, and Yaryan. Total, 36.

No Senator voting in the negative.

So the constitutional rule was suspended, Engrossed House Bill No. 511 was read a second time by title, a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Hanley, Harlan, Hays, Hobson, Holcomb, Howard, Hubbell,

Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 40.

No Senator voting in the negative.

So the bill passed.

To title to the bill was adopted as the title to the act.

Engrossed House Bill No. 448 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the negative were:

Senators Akin, Boyd, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs, Yaryan. Total, 36.

Those voting in the negative were:

Senators Burke, Ewing, Lynn. Total, 3.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 349, and the same is herewith transmitted.

THOS. J. NEWKIRK,
Clerk.

Engrossed Senate Bill No. 306 was read a third time and placed upon its passage.

The question being, shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were :

Senators Boyd, Burke, Byrd, Carver, Chandler, Ellison, Ewing, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Holcomb, Howard, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 85.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Moore, chairman of the Committee on the State Library, made the following report :

MR. PRESIDENT :

Your joint committee on the State Library beg leave to report that they have examined the library, its arrangements and contents, and find it to be improving under the reforms inaugurated by the Legislature of 1889; all possible precaution has been taken for the preservation of what was already in the library in the rebinding, handling, and general care of the books. The increase of the library has been in the line of reference books with special regard to practical utility in all the business pursuits recognized as contributing to the general welfare of the States. The work of cataloguing has progressed satisfactorily and rapidly. The importance of this work has been fully appreciated and it has been performed thoroughly and systematically. Two pressing needs of the library call for attention from the Legislature.

First. The matter of shelving. The shelving now in the library is inconvenient, dangerous, in case of fire, and will not accommodate the books now in the library. It should be removed and replaced by iron shelving such as is in all modern libraries. By the use of proper iron shelving 100,000 volumes could be kept where now there is scant room for 20,000, with much better lighting and more floor space for other uses of the library.

Secondly. The growth of the library could be largely increased by furnishing the librarian with copies of all State publications for the purpose of exchange with other States and foreign countries. We therefore recommend that the librarian be furnished one hundred copies of each official document published by the State printer for exchange purposes.

J. J. MOORE,
Chairman.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has amended and passed Senate Bill No. 338, and the same is herewith transmitted.

THOS. J. NEWKIRK,
Clerk of the House.

Senator Magee moved that the Senate take a recess until 7:30 P. M.

Senator Burke moved to reject the motion.

Which failed to prevail.

The question recurring on Senator Magee's motion, the same prevailed.

At 7:30 o'clock P. M. the Senate resumed its session.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 665, and the same is herewith transmitted.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 64, and the same is herewith transmitted.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has refused to concur in the Senate amendments to House Bill No. 645, and has appointed Messrs. Short, Voigt and Morris, of Henry, as a committee on the part of the House, to confer with a like committee on the part of the Senate in relation to said bill.

THOS. J. NEWKIRK,
Clerk.

Senator Magee moved that the message of the House relating to House Bill No. 645 be received, and that a conference committee of three be appointed on the part of the Senate to act with a like committee from the House.

The motion prevailed.

President Chase appointed Senators Magee, Hayden and Mount as the conference committee.

Engrossed House Bill No. 665, entitled :

A bill for an act prescribing the duties of the Treasurer of State in relation to any moneys coming into the State Treasury from the United States, and providing how the same shall be by him paid, and declaring an emergency.

Read first time.

Senator Magee moved that the constitutional rule be suspended, Engrossed House Bill No. 665 be read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Harlan, Hayden, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn,

McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 40.

No Senator voting in the negative:

So the constitutional rule was suspended, the bill read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Chandler, Clemons, Ellison, Foley, Francis, French, Fulk, Gilman, Grimes, Hanley, Harlan, Hayden, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Smith, chairman Conference Committee on the World's Fair Bill, presented the following report:

MR. PRESIDENT:

Your committee appointed to confer with a similar committee from the House with regard to House amendments to Senate Bill No. 342, have had the same under consideration and have agreed that the House recede from all of its amendments to said bill, and that in lieu of the words "one hundred thousand dollars," the words, "seventy-five thousand dollars" be inserted in said bill.

H. B. SMITH,
HENRY T. HUDSON,
ROBT. J. LOVELAND.

The report was concurred in.

Engrossed House Bill No. 540 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Chandler, Clemans, Ellison, Foley, Francis, French, Fulk, Gilman, Griffith, Grimes, Harlan, Hayden, Hays, Hobson, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 36.

Senator Hanley voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed Senate Bill No. 332 was read a third time and placed upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Gilman, Grimes, Hanley, Harlan, Hays, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Senator Holland voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 120 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hudson,

Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Moore, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 38.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed House Bill No. 480 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Gilman, Grimes, Hanley, Harlan, Hays, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Moore, Shanks, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 37.

No Senator voting in the negative.

So the bill passed.

The title of the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 152 was read a third time and put upon its passage.

Senator Kopelke offered the following amendment, and moved its adoption:

MR. PRESIDENT:

I move to refer Engrossed House Bill No. 152 to a committee of one with instructions to amend the same by inserting in section 1, after the word "adulterations," the words "offered for sale at wholesale or retail," and after the word "vessels" the words "in which the same are so offered for sale."

Senator Harlan moved to reject the amendment.

Which motion prevailed.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Byrd, Carver, Chandler, Ellison, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Kennedy, Kerth, Loveland, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Those voting in the negative were:

Senators Burke, Jones, Kopelke and Sweeney. Total, 4.

So the bill passed.

The title to the bill was adopted as the title to the act.

The following are House amendments to Senate Bill No. 338:

MR. SPEAKER:

Your Committee on Ways and Means, to whom was referred Senate Engrossed Bill No. 338, having had the said bill under consideration, beg leave to report the same back to the House with the recommendation that said bill be amended as follows:

Strike out of section 1 on page 2 of said bill all of lines 4 to 15 inclusive, and insert in lieu thereof the following:

“Make such loan or loans not exceeding in the aggregate the sum of seven hundred thousand dollars (\$700,000) as may be necessary and as occasion may require. And if it shall be necessary to meet the appropriations made by this General Assembly, it shall be lawful for said Governor, Auditor and Treasurer of State to make such further loan or loans not exceeding three hundred thousand dollars at any one time and not exceeding in the aggregate the sum of seven hundred thousand dollars (\$700,000) at such time or times as occasion may require, on or after the first day of September, 1891.”

And when so amended, your committee recommend that said bill do pass.

W. S. OPPENHEIM,
Chairman.

On motion of Senator Fulk the amendments were concurred in.

Engrossed House Bill No. 495 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Byrd, Chandler, Clemans, Fulk, Griffith, Grimes, Hanley, Hays, Hudson, Kerth, Kopelke, Loveland, McHugh, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 20.

Those voting in the negative were:

Senators Akin, Carver, Ellison, Foley, French, Gilman, Harlan, Holcomb, Holland, Howard, Jackson, Jones, Kennedy, McGregor, Morgan, Moore, Shanks and Sweeney. Total, 18.

So the bill failed to pass for want of a constitutional majority.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, offered the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Acts numbered 256, 330, 109 and 349, and Enrolled House Acts numbered 111, 394, 488, 264, 442, 402, 67, 618, 24, 596, 332 and 326, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Senate Acts numbered 256, 330, 109 and 349, and Enrolled House Acts numbered 111, 394, 488, 264, 442, 402, 67, 618, 24, 596, 332 and 326.

Senator Griffith, chairman of the same committee, also offered the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report, that after Enrolled Senate Acts numbered 256, 330, 109 and 349, and

Enrolled House Acts numbered 111, 394, 488, 264, 442, 402, 67, 618, 24, 596, 382 and 326 were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this March 7th, 1891.

F. M. GRIFFITH,
Chairman.

Engrossed House Bill No. 564 was read a third time and put upon its passage.

Senator Howard offered the following amendment, and moved its adoption :

MR. PRESIDENT :

I move that Engrossed House Bill No. 564 be referred to a special committee to be amended as follows: Strike out section 4.

The amendment was adopted, and Senator Howard appointed as the special committee.

Senator Howard, as the special committee, offered the following report :

MR. PRESIDENT :

Your committee appointed to amend House Bill No. 564, by striking out section 4 thereof, report that such amendment has been made.

Senator Yaryan offered the following amendment and moved its adoption :

MR. PRESIDENT :

I move to refer House Bill No. 564 to a committee of one, with instructions to amend by striking out "cities of 75,000," and insert "cities of not less than 15,000."

Senator Howard moved to reject the amendment.

Which motion prevailed.

Senator Byrd moved that the further action on Engrossed House Bill No. 564 be indefinitely postponed.

Which motion prevailed.

Engrossed House Bill No. 130 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Carver, Chandler, Ellison, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Howard, Hubbell, Hudson, Jones, Kennedy, Kerth, Loveland, Lynn, McGregor, McHugh, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 31.

Those voting in the negative were :

Senators Clemans, Holland, Kopelke, Morgan, Smith. Total, 5.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Engrossed House Bill No. 297 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Chandler, Clemans, Ellison, French, Gilman, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, and Yaryan. Total, 35.

No Senator voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Engrossed House Bill No. 509 was read a third time and put upon its passage.

Senator Loveland offered the following motion :

MR. PRESIDENT :

I move to refer House Bill No. 509 to a special committee of one, with instructions to amend the same by striking out the word "less" and inserting in lieu thereof the word "more," in line 8, section 1, page 8.

Also by striking out the emergency clause.

The motion to amend was adopted and Senator Loveland appointed as such special committee.

Senator Loveland, as the committee of one, offered the following report :

MR. PRESIDENT :

Your special committee, to whom was referred House Bill No. 509 for amendment, respectfully report the same back amended as directed.

The report was concurred in.

The question being, Shall the bill pass?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Chandler, Ellison, Foley, French, Fulk, Gilman, Griffith, Grimes, Hanley, Hobson, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 34.

Senator Carver voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Kennedy offered the following resolution, and moved its adoption :

WHEREAS, Geo. W. Alford was elected as a member of this Senate, at November election in 1888, from the counties of Daviess and Martin, to fill a vacancy caused by the resignation of a Senator who did not fill out his full term; that said Alford duly served as Senator during last session, and appeared at the

commencement of the present session and claimed to be the proper Senator for the full term of four years from his said election, but it was ruled that another was the proper Senator, elected at the last general election, was sworn as such, and now filling the position thereof; therefore,

Resolved, That said Alford be allowed the usual mileage for travel from his home at Washington, in said Daviess County, to this city and Senate and return, 225 miles, coming and returning, \$45.00.

Senator Jones moved to lay the resolution on the table.

The ayes and noes being demanded by Senators Harlan and Hanley.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Chandler, Ellison, French, Griffith, Grimes, Holcomb, Holland, Jackson, Jones, Kerth, Kopelke, McGregor, McHugh, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Yaryan. Total, 22.

Those voting in the negative were :

Senators Boyd, Hanley, Harlan, Hays, Hobson, Howard, Hubbell, Hudson, Kennedy, Loveland, Lynn and Moore. Total, 12.

So the motion to lay on the table prevailed.

Senator Thompson, of Pulaski, presented the following notice :

MR. PRESIDENT :

Having voted for the sorghum molasses bill under a misapprehension, I now give notice that on Monday morning I will move to reconsider the vote by which said bill passed the Senate, and I demand that said bill be retained by the Secretary till said vote is reconsidered.

Senator Loveland moved to reconsider the vote on the passage of House Bill No. 152, and to lay that motion on the table.

The motion prevailed.

Engrossed House Bill No. 72 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Chandler, Ellison, Francis, French, Fulk, Gilman, Griffith, Grimes, Hobson, Holcomb, Holland, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, and Thompson of Pulaski. Total, 32.

Those voting in the negative were:

Senators Hudson, McHugh and Yaryan. Total, 3.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

On motion of Senator Loveland, the vote by which Engrossed House Bill No. 495 failed to pass was reconsidered, and the bill put on its passage again.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Burke, Byrd, Carver, Clemans, Ellison, Foley, Fulk, Gilman, Griffith, Grimes, Hayden, Hays, Hobson, Howard, Hubbell, Hudson, Kennedy, Kerth, Loveland, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Pulaski. Total, 28.

Those voting in the negative were:

Senators Akin, Chandler, French, Holcomb, Jackson, Jones, Kopelke, Lynn, Sweeney, Thompson of Huntington, and Yaryan. Total, 11.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Burke moved to reconsider the vote by which Engrossed House Bill No. 72 was passed.

Which motion prevailed.

Senator Burke moved that the constitutional rule be suspended, the bill be read a third time by sections and put on its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Foley, French, Fulk, Griffith, Grimes, Hanley, Hays, Holcomb, Holland, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 36.

So the constitutional rule was suspended, the bill read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Carver, Chandler, Clemans, Ellison, Foley, Fulk, Gilman, Griffith, Grimes, Hanley, Hays, Hobson, Holcomb, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Loveland, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, and Yaryan. Total, 38.

Senator French voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Smith, from a special joint committee, presented the following report:

To the Senate and House of Representatives:

Your Joint Committee, appointed in pursuance to Senate Concurrent Resolution No. 1, to inquire into the feasibility of manufacturing binding twine in the prisons of the State, respectfully report as follows:

Your committee find that the manufacture of such binding twine would be impracticable for the following reasons, at this time:

First. The inflammable character of the material used in the manufacture of such twine would greatly increase the risk from fire to those institutions.

Second. That the labor in each of said prisons has already been let out by contract to different manufacturing companies, and that said contracts will not expire for some time to come.

Third. That the law governing the institutions make no provisions for the purchase of raw material, and the management of said institutions would be required to purchase out of the maintenance fund of said institutions the raw material of which said binding twine would be manufactured. The law also requires that the proceeds of all sales from said institutions shall be paid into the General Fund of the State; therefore, there would be a loss to the maintenance fund of said institutions to the amount paid out for raw material.

For the reasons above set forth, your committee is compelled to report adversely upon the feasibility of same.

H. B. SMITH,
Senate Committee.
R. K. ERWIN,
ROBERT PARKER,
House Committee.

Senator Magee, from the Conference Committee, presented the following report:

MR. PRESIDENT:

Your Committee on Conference, composed on the part of the House, of Representatives Morris, Voigt, and Short, and on the part of the Senate, of Senators Magee, Hayden and Mount,

appointed to consider and agree as to certain amendments made by the Senate to Engrossed House Bill No. 645, introduced by Representative Oppenheim, beg leave to submit the following report:

The House agrees to accept the amendments to said bill contained in Items 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 13, 16, 17, 18 and 19.

The Senate recedes from Senate amendment 14, and instead of the sum of \$20,000, it is agreed that there be appropriated in lieu thereof, \$12,000; \$6,000 of which is payable October 31, 1891, and \$6,000 October 31, 1892.

The Senate recedes from Senate amendment 3 and concurs in the bill as it came to the Senate, with the amendment of \$10,000 additional, making it read \$95,000 instead of \$85,000.

The Senate recedes from Senate amendments contained in Items 15, 12 and 20.

MAGEE,
Chairman.

HAYDEN,
MOUNT,
VOIGT,
JOHN M. MORRIS.

The report of the Conference Committee was concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 15, and the same is herewith transmitted.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 297, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

On motion of Senator McHugh the Senate adjourned.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

MONDAY MORNING.

MARCH 9, 1891.

Pursuant to adjournment the Senate convened at 11 o'clock A. M., Lieutenant-Governor Chase in the chair.

Prayer was offered by President Chase.

After the reading of a portion of the Journal, on motion of Senator McHugh, the further reading of the same was dispensed with.

Senator Burke moved that a committee of three be appointed by the President of the Senate to wait upon His Excellency, Governor Alvin P. Hovey, and ascertain whether he has any further communication to make to the Senate.

The motion prevailed, and the Chair appointed Senators Burke, Howard and Clemans as the committee.

Senator Fulk offered the following resolution :

WHEREAS, There have been material changes made in the election laws; therefore, be it

Resolved by the Senate, That the Secretary of the Senate be directed to draw a requisition on the Contractor for the Public Printing for the printing of a sufficient number of copies to supply twenty copies to each voting precinct in the State, and that the State Librarian be directed to compile a manual of the

election law, and supervise the printing of the same in accordance with this resolution, and that the Secretary of State be directed to distribute these laws to the counties in the same ratio and manner that other laws are distributed.

The resolution was adopted.

Senator Magee offered the following resolution :

WHEREAS, The daily newspapers of Indianapolis have given the public full, accurate and impartial reports of the proceedings of the Senate ; therefore, be it

Resolved, That the thanks of the Senate are hereby tendered to Messrs. McMurray, Landis, Bicknell and McPhetridge, the representatives of the Sentinel, Journal, News and Sun in the Senate for their reports.

The resolution was adopted.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 9, 1891. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 388, the same being an act in relation to making a loan for the State.

No. 206, in relation to public offenses.

No. 109, concerning public offenses and their punishment.

No. 256, to authorize the Protestant Episcopal Church to raise a fund for the support of a Bishop.

No. 349, relating to the time of holding court in the Eleventh Judicial Circuit.

No. 330, relating to the industrial education of the pupils in our State Institutions.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, March 9, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that Enrolled Senate Bill No. 814, the same being, "An act providing for a Board of Metropolitan Police and Fire Department in certain cities of the State," has become a law without his signature.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

Engrossed House Bill No. 531, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Lynn moved that the constitutional rule be suspended, that the bill be read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 44.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Carver, Caster, Chandler, Clemans, Ewing, Foley, French, Fulk, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Burke, chairman of the special committee, reported that the Governor had further communications to make to the Senate.

Senator Griffith, chairman of Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled House Acts Nos. 335, 495, 274, 120, 511, 244, 186, 130, 509, 399, 297, 320, 72, 388, 229, 336, 543 and 402, and Enrolled Joint Resolutions Nos. 5 and 6, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Enrolled House Acts Nos. 335, 495, 274, 120, 511, 244, 186, 130, 509, 299, 297, 320, 72, 388, 229, 336, 543 and 402, and Enrolled Joint Resolutions Nos. 5 and 6.

Senator Griffith, chairman of Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that after Enrolled House Acts numbered 335, 495, 274, 120, 511, 244, 186, 130, 509, 299, 297, 320, 72, 388, 229, 336, 543 and 402,

and Enrolled Joint Resolutions Nos. 5 and 6, were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this 9th day of March, 1891.

F. M. GRIFFITH,
Chairman.

On motion of Senator Fulk, Engrossed House Bill No. 363 was taken from the table.

Engrossed House Bill No. 363 was read a third time.

On motion of Senator Shockney, the further consideration of Engrossed House Bill No. 363 was indefinitely postponed.

Engrossed House Bill No. 466, together with a report of the committee thereon, was read a second time.

Senator Chandler moved to reconsider the vote by which the report was adopted.

Which motion carried.

Senator Morgan moved to reject the report.

Which motion carried.

Senator Morgan then moved that the constitutional rule be suspended, the bill read a third time by sections, and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Harlan, Hayden, Hays, Holcomb, Holland, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 88.

No Senator voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Burke, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Howard, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Moore, Mount, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, Yaryan. Total, 39.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

Senator Kopelke introduced Senate Bill No. 378 entitled:

A bill for an act for the government of the reformatory, penal and charitable institutions of the State.

Read first time and referred to Committee on Benevolent Institutions.

Engrossed House Bill No. 338, together with the majority and minority reports thereon, was read a second time.

Senator Burke moved to concur in the majority report.

The motion prevailed.

Senator Thompson, of Pulaski, moved to suspend the constitutional rule, that the bill be read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Boyd, Burke, Carver, Caster, Chandler, Ewing, Foley, Fulk, Griffith, Grimes, Hanley, Hayden, Hobson, Holcomb, Holland, Hudson, Jackson, Jones, Kennedy, McHugh,

Moore, Mount, Shanks, Smith, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs, and Yaryan. Total, 29.

Those voting in the negative were:

Senators Ellison, Harlan, Hays, Howard, Kerth, Kopelke, and McGregor. Total, 7.

So the constitutional rule was not suspended for want of a constitutional majority.

Engrossed House Bill No. 519, together with the report of the committee thereon, was read a second time.

The report of the committee was concurred in.

Senator Holcomb moved to suspend the constitutional rule, that the bill be read a third time by sections and put upon its passage.

The question being on the suspension of the constitutional rule.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Grose, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, McHugh, Magee, Morgan, Moore, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 41.

No Senator voting in the negative.

So the constitutional rule was suspended.

Senator Grimes, chairman Committee on Education, presented the following report on Engrossed House Bill No. 626:

MR. PRESIDENT:

The undersigned, members of the Committee on Education, to whom was referred Engrossed House Bill No. 626, received by the chairman of said committee February 27, 1891, beg leave to submit the following report:

First. The Terre Haute, Richmond & Indianapolis Railroad was duly chartered by special act of the General Assembly of the State of Indiana, in 1847; that one of the conditions of said charter was, that after said road was fully completed and paid for by said company, and after retaining fifteen per cent. of the net profits of the earnings of said road, the residue of said profits, if any, was to be, by said corporation, paid on demand to the school funds of the State of Indiana; that said company was, on demand, to report to the Legislature the receipts of said road over expenses and dividend of fifteen per cent. And that no act of the Legislature was passed requiring said reports to be made after the date of said charter, nor fixing rates or charges to be made by said road as per charter; that, after the adoption of the present Constitution of Indiana, giving general railroad charters, in 1871 or 1872, said railroad company surrendered her special charter, and was chartered under the general charter act, under which said road became the Terre Haute and Indianapolis Railroad; that, about the year 1869, a proceeding was begun in the Putnam Circuit Court to forfeit the first charter of said road, for the reason that she had not reported to and paid over to the State a large amount of money alleged to be due the State by reason of the earnings thereof under said original charter; that the venue of said cause was changed to Owen County, Indiana, where the questions involved were tried by a jury, who were discharged by the Court without the presence or consent of the parties to said cause without a verdict, and the same was continued; that about the year 1873, and while said cause was still pending, there was an agreement made and entered into between the State of Indiana, under a resolution of the Legislature, by Thomas A. Hendricks, Governor, and Leonidas Sexton, Lieutenant-Governor, and the Attorney-General and said railroad company, by which the cause pending in Owen County was to be continued from term to term of said Court, and that a suit was to be brought by the State on the relation of the Attorney-General, against said railroad in the Superior Court of Marion County, Indiana, which agreement was signed by Thomas A. Hendricks, Governor, Leonidas Sexton, Lieutenant-Governor, James C. Denny, Attorney-General, and the railroad, by her attorney, by which agreement the railroad company agreed to pay any money judgment that might be rendered by the Marion

Superior Court against said company on said suit involving the liability of said road to the State of Indiana under said special charter; that in pursuance of said agreement a suit was brought in the Superior Court of Marion County by the State of Indiana, on the relation of the Attorney-General, against said railroad, in which said complaint was charged substantially the same facts alleged in the preamble to said House Bill No. 626; that said railroad appeared to said complaint and filed a demurrer thereto, stating that the same did not state facts sufficient in law to constitute a cause of action against the defendant; that the question was fully discussed by able counsel and the Court sustained such demurrer, and that no pleadings or answer was filed in said cause, and that the judgment was on demurrer, and the cause was then appealed to the general term of the Superior Court, in which the decision of the special term was affirmed, and proper exceptions taken. And the cause was then appealed to the Supreme Court, briefed on each side, and the judgment of the Superior Court was affirmed by the Supreme Court; that a petition for a rehearing of said cause was filed in the Supreme Court by the State, and heard on an oral argument of said petition, and the same was overruled by the Supreme Court.

The cause is entered in 64th Indiana, on page 297, being, the State on the relation of the Attorney-General of the State of Indiana vs. The Terre Haute, Indianapolis & Vandalia Railroad, which was determined about 1876, and that no legal or legislative action has been taken in said matter since said date, except a resolution directing the Secretary of State to call on said company for a report of receipts under said charter, passed in 1889, and authorizing the Attorney-General to bring suit.

ANDREW GRIMES, Chairman.

R. A. FULK.

JOHN YARYAN.

MORGAN CHANDLER.

H. B. SMITH.

JOHN F. McHUGH.

THEO. SHOCKNEY.

Senator McHugh offered the following resolution and moved its adoption :

WHEREAS, It has been charged in the public prints of the city of Indianapolis that a large sum of money is due the State of Indiana from the Terre Haute & Indianapolis Railroad Company, under the provisions of a charter granted to the said company by the State, and that said company has refused to account for and pay over the same, as required by the provisions of said charter, and

WHEREAS, The said Terre Haute & Indianapolis Railroad Company denies that any sum of money is due to the State on account of the matters aforesaid, and also claims that the said matter has been heretofore tried and determined in the courts in favor of said company, and has been finally adjudicated, and

WHEREAS, There are numerous legal questions involved in, and growing out of, said controversy between the State and said company, which should be carefully investigated to the end that intelligent action may be taken in said matter and no expensive and doubtful litigation be precipitated upon the part of the State; therefore,

Be it Resolved by the Senate, the House of Representatives concurring, That the Attorney-General of the State of Indiana be and is hereby directed and required to carefully investigate the questions of law involved in said controversy between the State and said company, and report the result of his investigations he shall see fit to make thereon.

The resolution was adopted.

Senator Burke moved that when the Senate adjourns it adjourn to meet at 3 o'clock p. m.

Which motion prevailed.

Senator Boyd moved to reconsider the vote on Engrossed House Bill No. 402, and instruct the Secretary to recall said bill from the House.

The motion prevailed.

On motion of Senator Sweeney the Senate adjourned.

MONDAY AFTERNOON.

MARCH 9, 1891.

Pursuant to adjournment the Senate convened at 3 o'clock P. M., Lieutenant-Governor Chase in the chair.

Senator Griffith, chairman Committee on Enrolled Bills, presented the following report :

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Acts numbered 15 and 297, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he had signed Senate Acts Nos. 15 and 297.

Senator Griffith also presented the following report :

MR. PRESIDENT:

Your Joint Committee on Enrolled Bills would report that, after Enrolled Senate Acts Nos. 15 and 297 were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval, this March 9, 1891.

F. M. GRIFFITH,
Chairman.

Senator Shockney presented the following memorial :

To the Senate of the State of Indiana:

The undersigned residents of Union City, Randolph County, in the State of Indiana, holders of policies of life insurance, and others, respectfully remonstrate against the passage of any bill imposing additional taxation upon Life Insurance Companies. We see no reason why the provision made by self-denying citizens for the welfare of their families in case of death, should be burdened by taxation.

We believe that it is contrary to a wise policy to impose any tax upon life insurance beyond what may be necessary to pay the expenses of official supervision.

F. T. PARKER,
And thirty others.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 191, and the same is herewith transmitted.

THOS. J. KEWKIRK,
Clerk of the House.

The following message was received from the House:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Bill No. 219, and the same is herewith transmitted.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that on this 9th day of March, 1891, the Governor returned House Bill No. 275 to the House unsigned by him, with his message and objections thereto, which message and objections were spread at large upon the pages of the Journal of the House, therefore the House immediately proceeded to reconsider said bill, and the Speaker of the House announced the question before the House to be, Shall the bill pass, notwithstanding the objections of the Governor thereto?

And the roll of the House being called, the same resulted as follows:

Ayes, 69.

Nays, 21.

The Speaker then announced the result of said vote, and that the bill had passed, notwithstanding the objections of the Governor thereto, all of which appears in full upon the pages of the Journal of the House, and said bill and message are herewith transmitted.

T. J. NEWKIRK,
Clerk.

The following is the message of the Governor :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 9, 1891. }

Hon. Mason J. Niblack,

Speaker of the House of Representatives :

SIR—I return House Bill No. 275, entitled “An act fixing the compensation and prescribing the duties of certain State and county officers, and providing penalties for the violation of its provisions,” without my approval.

For years there has been an out-cry by the press of all parties, by candidates for office and the people, charging that under our fee and salary laws, all kinds of constructive fees and extortions have been forced upon the people, and the estates of the dead. It is known and declared by all men pretending to favor the people, that such abuses ought to be immediately abated. It is admitted that in several counties in the State, county officers are receiving from ten to fifteen thousand dollars per annum for mere clerical labor, which they are only capable of performing, and that some of the incomes of our State officers have reached as high as thirty thousand dollars per annum. If men only capable of performing mere clerical labor, clerks of courts, County Auditors, Sheriffs, County Treasurers and Recorders, are receiving in several counties in this State from ten to fifteen thousand dollars a year, whilst Judges on the Circuit Court benches are only receiving two thousand five hundred, and the Judges of the Supreme Court four thousand dollars per annum, is it not time to stop such unjust inequalities without the delay of two or four years?

Shall the lobby control the State?

If constructive and extortionate fees are collected against the living and the dead, should the havoc still go on for two and four years more?

I appeal to our masters, the people, and ask if such a law can be tolerated on our statute books? This bill gives full liberty for such officers to oppress the people from two to four years more. I can not consent to such an enormity. Why not postpone the action of the law until the year 1900, or the beginning of the twentieth century? You can overrule this message and make your own record, but I can not join you in consummating what I regard as such an iniquitous law. This is the first bill that has been passed in the history of the State that leaps over two sessions of the General Assembly (1892-1894), before its provisions can take effect. To say the least, this is original and anomalous legislation. What would be thought of an act of Parliament that was to take effect after two successive Parliaments? What would be thought of an act of Congress which could only have vitality after two successive sessions? And what will be thought of an act of the Legislature of Indiana, that could only take effect after four years and two several sessions of our Legislature? Will it not look like a sham to cover broken promises?

What is to be done with the officers who may fill vacancies occasioned by resignation or death?

I know that this veto will not meet with the approval of the Legislature. I am willing and anxious that a just fee and salary bill may be speedily enacted, and would approve this with its crudity and errors, but the postponement of such an act for four years meets with my hearty condemnation.

It is a well known fact that the county officers' Clerks, Auditors, Sheriffs and Treasurers, control the nominations of State Representatives, Democratic and Republican, in at least seventy-five counties in the State.

Does any sensible man dream that this act, which is so diametrically opposed to their interests, will ever be enforced against them?

Must not every candid man admit that this bill is a sham, a deceptive, a delusion and a snare, to cheat and defeat the people out of the reform in the law of fees and salaries, which they have so long and so earnestly demanded, and that it will be repealed before it has the least vitality?

This is not a political question, but a question between the leeches and cormorants in office, and the people they are bleeding at every pore. How long will these petty tyrants of the counties and their lobby control the legislation of the State?

Strike out sections 20 and 186, and let this act take effect like other laws, and I will sign it at any time down to the last moment of this session. Without that, this act will be a still-born corpse, and every intelligent man in the State will know it. Lift it out of the lobby, disentangle it from the octopus, and you will save the people now over-burdened by taxation more than a half million dollars for every year it is in force.

ALVIN P. HOVEY,
Governor.

Senator Griffith offered the following motion :

MR. PRESIDENT :

I move that the action of the House, together with the message of the Governor on House Bill No. 275, be spread of record, that the same be reconsidered and passed, notwithstanding the objections of the Governor, and upon this motion I demand the previous question.

The question being, Shall the Senate second the demand for the previous question?

The demand was seconded by the Senate.

The question being, Shall the main question be now put?

It was agreed to.

The question being, Shall Engrossed House Bill No. 275 pass, notwithstanding the objections of the Governor?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Boyd, Byrd, Chandler, Ellison, Ewing, Foley, Fulk, Gilman, Griffith, Grimes, Hayden, Hays, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Moore, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 36.

Those voting in the negative were :

Senators Burke, Carver, Caster, Clemans, French, Grose, Hanley, Hobson, Mount, Thompson of Marion, and Yaryan. Total, 11.

So the bill passed, notwithstanding the objections of the Governor.

Senator Griffith, chairman of the Joint Committee on Enrolled Bills, offered the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills, to whom was referred Enrolled Senate Acts numbered 191 and 342 and Enrolled House Acts numbered 665, 531 and 466, have carefully examined the same, and find the same correctly enrolled.

F. M. GRIFFITH,
Chairman.

President Chase announced that he has signed Senate Acts numbered 191 and 342 and Enrolled House Acts numbered 665, 531 and 466.

Senator Griffith, chairman of the same committee, also offered the following report :

MR. PRESIDENT :

Your Joint Committee on Enrolled Bills would report that, after Enrolled Senate Acts numbered 191 and 342 and Enrolled House Acts numbered 665, 531 and 466 were signed by the presiding officers of both Houses, they delivered said acts to the Governor for his approval this March 9, 1891.

F. M. GRIFFITH,
Chairman.

As unfinished business from the forenoon, Senator Hays called up Engrossed House Bill No. 519, and offered the following motion :

MR. PRESIDENT :

I move that Engrossed House Bill No. 519 be referred to a committee of one, with instructions to amend by adding at the close of section No. 1 the following :

Sixteenth. To organize companies for the purpose of carrying on the business of insuring titles to real estate, and to make abstracts, loans and collections in connection therewith, and otherwise act as agent, attorney in fact and trustee for persons and corporations.

The motion was adopted, and Senator Hays was appointed as such committee.

Senator Hays, as special committee of one, made the following report on Engrossed House Bill No. 519:

MR. PRESIDENT:

Your special committee of one, to whom was referred Engrossed House Bill No. 519 for amendment, beg leave to report that such amendment as directed has been made.

The report was concurred in.

Engrossed House Bill No. 519 was then read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 43.

No Senator voting in the negative.

So the bill passed.

The title to the bill was ordered to stand as the title to the act.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 9, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 15—"An act concerning the Soldiers' and Sailors' Orphans' Home," and No. 297, in relation to Board of Children's Guardians.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 246, and the same is herewith transmitted.

THOS. J. NEWKIRK,
Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 544, and the same is herewith transmitted.

THOS. J. NEWKIRK,
Clerk..

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 235, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senator Howard offered the following resolution and moved its adoption:

MR. PRESIDENT :

I move the adoption of the following resolution :

Resolved, That William H. Drapier be, and he is hereby elected Stenographer of the Senate, and instead of a per diem, he be allowed for the same number of copies of the Brevier Legislative Reports of the present Assembly, at the same price as has been paid for said reports since 1867, and for years before under resolutions and acts in exact and identical words as to price and number of copies, and the President of the Senate is directed to issue his warrant therefor, as in case of other officers of the Senate, not to exceed in price one dollar each, and not to exceed two thousand copies. The Bureau of Printing is directed to have said reports bound, as heretofore by the State, and said Stenographer is directed to forward ten copies to each member of the General Assembly.

HOWARD.

The ayes and noes were demanded.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Burke, Ewing, Hanley, Harlan, Howard, Hubbell, Magee, and Thompson of Marion. Total, 9.

Those voting in the negative were :

Senators Akin, Byrd, Carver, Caster, Chandler, Clemans, Ellison, French, Fulk, Gilman, Griffith, Grimes, Grose, Hayden, Hays, Holcomb, Holland, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Huntington, Thompson of Pulaski, and Wiggs. Total, 33.

So the resolution failed of adoption.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 327, and the same is herewith transmitted.

THOS. J. NEWKIRK,
Clerk.

Engrossed House Bill No. 327, entitled:

A bill for an act providing for the payment of balances due certain contractors for the equipment of the Eastern and Southern Hospitals for Insane, and declaring an emergency.

Read the first time and referred to Finance Committee.

Senator Magee, chairman of Committee on Finance, offered the following report:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred Engrossed House Bill No. 327, having had the same under consideration, recommend that the same do pass.

The report was concurred in.

Senator Magee moved that the constitutional rule be suspended, the bill read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the constitutional rule be suspended?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Burke, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, French, Fulk, Gilman, Griffith, Grimes, Grose, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, McGregor, McHugh, Magee, Morgan, Mount, Shanks, Shockney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

Senator Carver voting in the negative.

So the constitutional rule was suspended, the bill read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Akin, Boyd, Burke, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, French, Fulk, Griffith, Grimes, Hanley, Harlan, Hayden, Hays, Hobson, Holcomb, Holland, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, McGregor, McHugh, Magee, Morgan, Mount, Shanks, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

Senator Grose voting in the negative.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Howard, chairman of the Committee on Swamp Lands, made the following report on Senate Bill No. 233 :

MR. PRESIDENT :

Your Committee on Swamp Lands and Drains, to whom was referred Senate Bill No. 233, introduced by Senator Clemans, beg leave to report the same back with the recommendation that the bill be indefinitely postponed, for the reason that the matter of said bill is already incorporated in Senate Bill No. 58.

T. E. HOWARD,
Chairman.

The report of the committee was concurred in.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that on this 9th day of March, 1891, the Governor returned House Bill No. 332 to the House unsigned by him, with his message and objections thereto, which message and objections were spread at large upon the pages of the Journal of the House. Thereupon the House immediately proceeded to reconsider said bill, and the Speaker of the House announced the question before the House to be, Shall the bill pass notwithstanding the objections of the Governor thereto? and the roll of the House being called, the same resulted as follows: Ayes 56, noes 20. The Speaker then announced the result of said vote and that

the bill had passed, notwithstanding the objections of the Governor thereto. All of which appears in full upon the pages of the Journal of the House, and said bill and message are herewith transmitted.

THOS. J. NEWKIRK,
Clerk.

The following is the Governor's message :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, IND., March 9, 1891. }

Hon. Mason J. Niblack, Speaker of the House of Representatives :

SIR: I return House Bill No. 332 entitled, "An act establishing the office of Natural Gas Supervisor in the State of Indiana, providing for the appointment of such officer, and defining his duties, repealing section 7 of an act entitled, 'An act establishing a Department of Geology and Natural Resources in the State of Indiana, and providing for a Director of the Department, abolishing the Department of Geology and Natural History and the office of State Geologist connected therewith; abolishing the offices of Mine Inspector and State Inspector of Oils, repealing all laws or parts of laws in conflict with any of the provisions of this act and declaring an emergency; passed over the Governor's veto and in force February 26, 1889,' appropriating money to pay the salary and expenses of such Supervisor and declaring an emergency," without my approval.

The Gas Inspector is a State officer, and as such can not be appointed by another State officer. The Constitution will not permit the Geologist to make such an appointment.

ALVIN P. HOVEY,
Governor.

Senator McHugh offered the following motion :

MR. PRESIDENT :

I move that the message of the Governor be received and spread upon the record, that the Senate reconsider its action, and that the bill do pass, the Governor's veto to the contrary notwithstanding.

McHUGH.

The question being, Shall Engrossed House Bill No. 832 pass, notwithstanding the objections of the Governor?

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Burke, Byrd, Chandler, Ellison, Foley, French, Fulk, Griffith, Grimes, Harlan, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Morgan, Shanks, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs. Total, 81.

Those voting in the negative were:

Senators Akin, Boyd, Carver, Caster, Clemans, Gilman, Grose, Hanley, Hays, Hobson, Hubbell, Mount, Shockney, Yaryan. Total, 14.

So the bill passed notwithstanding the objections of the Governor thereto.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 9, 1891. }

MR. PRESIDENT:

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 342, the same being the World's Fair bill.

No. 191, appropriating \$17,500 to Deaf and Dumb Institution.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 271, and the same is herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senator Griffith offered the following motion :

MR. PRESIDENT :

I move that a committee of three be appointed to notify the House that we are ready to adjourn, and to inquire whether or not the House has any further message to send to the Senate.

Which motion was adopted, and the President appointed as such committee Senators Griffith, McGregor and Harlan.

Senator Hubbell called up Engrossed House Bill No. 659.

The report of the committee was concurred in, and the bill read a third time and placed on its passage.

The question being, Shall the bill pass ?

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Boyd, Byrd, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Gilman, Grimes, Hayden, Holcomb, Howard, Hubbell, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McHugh, Magee, Morgan, Mount, Shanks, Shockney, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 35.

Those voting in the negative were :

Senators Carver, Hanley and Hays. Total, 3.

So the bill passed.

The title to the bill was adopted as the title to the act.

Senator Akin offered the following motion :

MR. PRESIDENT :

I move that a committee of three be appointed to wait upon the Governor and ascertain if he has any further communications to submit to the Senate.

AKIN.

The motion was adopted, and the Chair appointed Senators Akin, Yaryan and Jones as such committee.

Senator Mount called up the majority and minority reports on Senate Bill No. 172.

Senator Burke moved to concur in the majority report.

Senator Mount moved to substitute the minority for the majority report.

The ayes and noes being demanded.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Carver, Caster, Gilman, Hanley, Harlan, Hays, Hobson, Mount, Shanks, Shockney, Thompson of Pulaski. Total, 11.

Those voting in the negative were:

Senators Burke, Byrd, Chandler, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 29.

So the motion to adopt the minority report was lost.

The question recurring upon the adoption of the majority report.

The roll was called, which resulted as follows:

Those voting in the affirmative were:

Senators Burke, Byrd, Chandler, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Hayden, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Sweeney, Thompson of Marion, Thompson of Huntington, Wiggs and Yaryan. Total, 30.

Those voting in the negative were:

Senators Carver, Caster, Clemans, Gilman, Hanley, Harlan, Hays, Hobson, Hubbell, Mount, Shanks, Shockney and Thompson of Pulaski. Total, 13.

So the majority report was adopted.

Senator Akin, chairman of special committee, made the following report:

MR. PRESIDENT :

Your committee, appointed to wait upon the Governor and ascertain if he had any further communications to submit to the Senate, beg leave to report that they have performed that duty, and are informed by the Governor that he has no further communications to submit.

CHAS. T. AKIN.
JOHN YARYAN.
P. O. JONES.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, March 9, 1891. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 219, the same being "An act in relation to licensing pawn-broking," and No. 246, *in re* descent of personal property in certain cases.

Very respectfully,

W. B. ROBERTS,
Private Secretary.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Joint Resolutions 7, 8, 9, 10, and the same are herewith transmitted for the action of the Senate.

THOS. J. NEWKIRK,
Clerk.

Senator Griffith offered the following resolution :

Resolved, That it is the sense of the Senate that no further business be transacted except the consideration of the pending amendments to the Constitution.

GRIFFITH.

The resolution was adopted.

Senator Byrd offered the following resolution :

MR. PRESIDENT :

I move the adoption of the following resolution :

Resolved, That the thanks of this Senate are due and are hereby tendered to David H. Fenton, Principal Secretary, and George S. Pleasants, Assistant Secretary, and their assistants, for the faithful and intelligent manner in which they have discharged their several duties and the uniform courtesy extended to each member of the Senate by them.

The resolution was unanimously adopted.

Senator Mount offered the following resolution :

MR. PRESIDENT :

I offer the following resolution and move its adoption :

Resolved, That the thanks of the Senate are due and hereby tendered to Mr. O. T. Wells, Principal Doorkeeper, and his assistants for their courteous demeanor and attentive kindness to the Senators during the session.

The resolution was adopted.

Senator Shockney offered the following resolution :

MR. PRESIDENT :

I offer the following resolution and move its adoption :

Resolved, That when the acts of this General Assembly shall be published, it shall be the duty of the State Librarian and he is hereby ordered and directed to deposit ten copies thereof in the office of Secretary of State, for each member of the Senate, who shall be authorized to receive and receipt for the same at the hands of the Secretary of State.

The resolution was adopted.

Senator Shockney offered the following resolution :

MR. PRESIDENT :

WHEREAS, The representatives of the press have with kindness and uniform fairness reported the proceedings of the Senate, from day to day, therefore

Be it resolved, That the thanks of the Senate are due and the same are hereby tendered to Messrs. E. P. Bicknell, of the *News*;

Lannes McFebridgo, of the *Sun*; A. R. McMurray, of the *Sentinel*, and W. K. Landis, of the *Journal*, for the courteous and impartial manner in which they have each reported the proceedings of the Senate during the session.

The resolution was adopted.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, March 9, 1891. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 235, the same being "An act in relation to the incorporation of live stock insurance companies."

Very respectfully,

W. B. ROBERTS,

Private Secretary.

The following message was received from the Governor :

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, March 9, 1891. }

MR. PRESIDENT :

I am directed by the Governor to inform the Senate that he has signed Enrolled Senate Bill No. 271, the same being "An act concerning the organization of manufacturing companies."

Very respectfully,

W. B. ROBERTS,

Private Secretary.

Senator Kennedy introduced Senate Bill No. 379, entitled:

A bill for an act to amend section 24 of "an act fixing certain fees to be paid in the offices and the salaries of officers therein named ; providing for certain employes, certain public offices and fixing their compensation ; defining certain duties and liabilities of officers and persons therein named ; providing for the disposition of certain moneys, making certain appropri-

ations, declaring certain violations of the provisions of this act to be penal offenses, and prescribing the punishment, and declaring an emergency, and repealing all conflicting laws," approved March 31, 1879, and declaring an emergency.

Read first time.

Senator Kennedy moved that the constitutional rule be suspended, the bill read a second time, considered engrossed, read a third time and put upon its passage.

Senator McHugh moved that the further consideration of this bill be indefinitely postponed.

Which motion prevailed.

Engrossed House Bill No. 544, entitled :

A bill for an act to prevent the waste of natural gas, requiring the owners of wells in certain cases to secure by closing and stopping the same, providing penalties for the violation of this act, and declaring an emergency.

Read the first time.

The following is House Joint Resolution No. 7 :

Be it resolved by the General Assembly of the State of Indiana, That the following proposed amendment to the Constitution of said State be and the same here now is agreed to and referred to the General Assembly of said State to be chosen at the next general election :

Amend section one (1) of article ten (10) of said Constitution to read as follows :

The General Assembly shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, excepting such only for municipal, educational, literary, scientific, religious or charitable purposes as may be specially exempted by law: *Provided,* That corporations may be taxed upon their net or gross earnings in such manner as may be prescribed by law.

Resolved, That in submitting this amendment to the electors of the State to be voted on, it shall be designated as Amendment No. 2.

The question being upon the adoption of House Joint Resolution No. 7.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Holeomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

Senator Burke voted in the negative. .

So House Joint Resolution No. 7 was adopted.

The following is House Joint Resolution No. 8 :

Be it resolved, by the General Assembly of the State of Indiana, That the following proposed amendment to the Constitution of said State be and the same here now is agreed to and referred to the General Assembly of said State to be chosen at the next general election :

Amend section two (2) of article six (6) of said Constitution to read as follows :

There shall be elected in each county, by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner and Surveyor, who shall severally hold their offices for four years, commencing on the first Monday in January after their election, and no person shall be eligible to hold any of said offices more than four years or one term in any period of eight years.

Provisions shall be made by law for filling vacancies in any of such offices.

Resolved, That in submitting this amendment to the electors of the State to be voted on, it shall be designated as Amendment No. 4.

The question being on the adoption of House Joint Resolution No. 8.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

Senator Burke voting in the negative.

So House Joint Resolution No. 8 was adopted.

The following is House Joint Resolution No. 9 :

Be it resolved by the General Assembly of the State of Indiana, That the following proposed amendment to the Constitution of said State be, and the same here now is agreed to and referred to the General Assembly of said State to be chosen at the next general election :

Amend section one (1) of article six (6) of said Constitution to read as follows :

There shall be elected by the voters of the State a Secretary, an Auditor and a Treasurer of State, who shall severally hold their offices for four years. They shall perform such duties as may be enjoined by law, and no person shall be eligible to either of said offices more than four years in any period of eight years.

Resolved, That in submitting this amendment to the electors of the State to be voted on, it shall be designated as Amendment No. 3.

The question being on the adoption of House Joint Resolution No. 9.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor,

McHugh, Magee, Morgan, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

Senator Burke voting in the negative.

So House Joint Resolution No. 9 was adopted.

The following is House Joint Resolution No. 10 :

Be it resolved by the General Assembly of the State of Indiana, That the following proposed amendment to the Constitution of said State be, and the same hereby now is agreed to, and referred to the General Assembly of said State to be chosen at the next general election :

Amend section twenty-nine of article four of said Constitution to read as follows: "The members of the General Assembly shall receive for their services a compensation to be fixed by law; but no increase of compensation shall take effect during the session at which such increase may be made. No session of the General Assembly shall extend beyond the term of one hundred days, nor any special session beyond the term of forty days."

Second. Resolved, That in submitting this amendment to the electors of the State to be voted on it shall be designated as Amendment No. 1.

The question being on the adoption of House Joint Resolution No. 10.

The roll was called, which resulted as follows :

Those voting in the affirmative were :

Senators Akin, Byrd, Carver, Caster, Chandler, Clemans, Ellison, Ewing, Foley, French, Fulk, Griffith, Grimes, Hanley, Harlan, Hays, Hobson, Holcomb, Holland, Howard, Hudson, Jackson, Jones, Kennedy, Kerth, Kopelke, Lynn, McGregor, McHugh, Magee, Morgan, Mount, Shanks, Shockney, Smith, Sweeney, Thompson of Marion, Thompson of Huntington, Thompson of Pulaski, Wiggs and Yaryan. Total, 41.

Senator Burke voting in the negative.

So House Joint Resolution No. 10 was adopted.

President Chase addressed the Senate as follows:

Gentlemen of the Senate:

Our labors for the session of 1891 are about ended. The people will answer for us as to how well we have served them as a law-making body. But to you personally, I wish a word at parting.

The form and manner in which you have just testified your approbation of my services is a genuine surprise and has made an impression I shall never forget.

When it is said that a minister of the Gospel should have nothing to do with politics, even though without his solicitation he is urged so to do—I offer a remonstrance. It has been my aim to carry the same principles into the political arena that govern me in the other relations of life. I have experienced no difficulty whatever in the adjustment.

When you are pleased, as in the very generous resolutions just passed, and by a rising vote, to credit me with impartiality in rulings, I gratefully accept the compliment. This has been my purpose and ambition. But when you offer praise for doing just what I was elected to do, just what I took a solemn oath to perform, it is that much more than any presiding officer deserves.

No Senator has been recognized nor his claims to consideration acknowledged by the Chair that was not believed by right to be due.

To have violated this principle for the purpose of advantage to one Senator over that of another—especially to the side of the majority—would have subjected the presiding officer to the suspicion, and justly so, of that very member—and no one can know better than he—that he would have received that which he would have richly merited, loss of confidence, disregard for decisions and the contempt of the Senate.

I am thoroughly conscious of having tried to do you honest service. If, in your judgment, decisions have been reached too tardily at times—almost suggestive of vacillancy—lay that which comes so nearly to cowardice and intolerable weakness no longer to me. It would be gross injustice to one whose supreme purpose has been to decide with justice, allowing the consequences to care for themselves.

There have been moments when I have wished that the office of Lieutenant Governor had no existence in my mind. The duties have been trying, laborious, responsible; but now that we are sailing in calmer waters, I look back over the two sessions of this honorable body and remember nothing but constant uniform courtesy and kindness. That I say in all candor, now that our labors are ended, our history written, I would not for any consideration in your power to name, be deprived of the honor that has been so generously bestowed upon the presiding officer of this Senate.

Of one thing I must be permitted to speak specifically. Nothing would have induced me to violate the proprieties of debate on the floor during the discussion of the Fee and Salary Bill, had I suspected that it was in the mind of this body to make it apply to the present incumbent in office. I urged that something be done that my successor, whoever he might be, might be able to carry the demands made upon his time and energies without a positive sacrifice of his means gathered by his economy and industry in former years. Your action as applied to the unexpired term of this office is regarded by me as the greatest compliment a great majority ever paid to one of the minority by a legislative body, and is in my judgment without a parallel in legislation in this country. My family will ever point with pride to your actions, regarding it as I do a special mark of confidence and honor more valuable to character than much fine gold.

And now, gentlemen of the Senate, however widely we may differ as to the best methods for conducting the affairs of State, I wish to assure each of you that in the personal, social and religious phases of life I wish you peace, wisdom, prosperity and happiness.

Alexander swept the world in twelve years by the sword, bringing it in subjugation under his feet, then died, leaving it drenched in blood. He could command mighty armies, subdue great kingdoms, but he could not subdue Alexander. He died in disgrace. May each of you win a truer fame than did Alexander, in that you, through the Supreme Ruler and Preserver of all Kingdoms, find yourselves able to conquer yourselves.

I bid you all a God-speed and a kindly farewell.

Senator Griffith moved that the address of President Chase be incorporated in the Journal.

Senator Griffith, as President *pro tem.* of the Senate, put the motion.

Which motion was unanimously adopted.

To the Senate of the General Assembly:

In obedience to the law, the undersigned submits a detailed report of the warrants drawn by him during the session, in favor of members, officers and employes, showing the number of warrants drawn, the amount of each warrant, and to whom payable; also, the number of warrants drawn and to whom payable, as directed by resolutions.

CHARLES T. AKIN—

January 22, 1891, mileage, No. 1	\$43 60
January 22, 1891, per diem, No. 99.....	90 00
February 7, 1891, per diem, No. 301	96 00
February 21, 1891, per diem, No. 451	84 00
March 9, 1891, per diem, No. 565.....	96 00
Total.....	\$409 60

THOMAS E. BOYD—

January 22, 1891, mileage, No. 2	\$8 80
January 22, 1891, per diem, No. 96.....	90 00
January 30, 1891, per diem, No. 199.....	48 00
February 11, 1891, per diem, No. 334.....	72 00
February 21, 1891, per diem, No. 419.....	60 00
March 9, 1891, per diem, No. 566.....	96 00
Total.....	\$374 80

FRANK B. BURKE—

January 22, 1891, mileage, No. 3.	\$44 00
January 22, 1891, per diem, No. 127	90 00
February 6, 1891, per diem, No. 307.....	90 00
February 21, 1891, per diem, No. 450.....	90 00
March 9, 1891, per diem, No. 567.....	96 00
Total	\$410 00

GEORGE A. BYRD—

January 22, 1891, mileage, No. 4.....	\$24 00
January 31, 1891, per diem, No. 207	144 00
February 17, 1891, per diem, No. 355	102 00
March 9, 1891, per diem, No. 568.....	120 00
Total	<u>\$390 00</u>

ORVILLE CARVER—

January 22, 1891, mileage, No. 5	\$76 00
January 22, 1891, per diem, No. 136	90 00
February 11, 1891, per diem, No. 837	120 00
March 9, 1891, per diem, No. 569.....	156 00
Total	<u>\$342 00</u>

ISAAC CASTER—

January 22, 1891, mileage, No. 6.....	\$19 20
January 22, 1891, per diem, No. 132	90 00
January 27, 1891, per diem, No. 190.....	30 00
February 11, 1891, per diem, No. 311.....	90 00
February 28, 1891, per diem, No. 488.....	102 00
March 9, 1891, per diem, No. 570.....	54 00
Total	<u>\$385 20</u>

MORGAN CHANDLER—

January 22, 1891, mileage, No. 7	\$8 40
February 11, 1891, per diem, No. 318.....	210 00
March 9, 1891, per diem, No. 571.....	156 00
Total	<u>\$374 40</u>

B. F. CLEMANS—

January 22, 1891, mileage, No. 8.....	\$41 60
January 22, 1891, per diem, No. 195	138 00
February 6, 1891, per diem, No. 299	42 00
February 13, 1891, per diem, No. 349	42 00
February 21, 1891, per diem, No. 417	48 00
March 9, 1891, per diem, No. 572.....	96 00
Total	<u>\$407 60</u>

D. H. ELLISON—

January 22, 1891, mileage, No. 9	\$40 00
January 22, 1891, per diem, No. 117	90 00
January 31, 1891, per diem, No. 204	54 00
February 11, 1891, per diem, No. 338	66 00
February 28, 1891, per diem, No. 490	102 00
March 9, 1891, per diem, No. 573	54 00
Total	<hr/> \$406 00

CORTEZ EWING—

January 22, 1891, mileage, No. 10	\$19 80
January 22, 1891, per diem, No. 118	90 00
March 9, 1891, per diem, No. 574	276 00
Total	<hr/> \$385 80

DANIEL FOLEY—

January 22, 1891, per diem, No. 104	\$90 00
January 31, 1891, per diem, No. 205	54 00
February 20, 1891, per diem, No. 409	120 00
March 9, 1891, per diem, No. 582	102 00
Total	<hr/> \$366 00

HARRY FRANCIS—

January 22, 1891, mileage, No. 11	\$64 40
January 22, 1891, per diem, No. 109	90 00
February 2, 1891, per diem, No. 261 ..	66 00
February 9, 1891, per diem, No. 309	42 00
February 16, 1891, per diem, No. 353	42 00
February 24, 1891, per diem, No. 455	48 00
March 3, 1891, per diem, No. 548 ..	42 00
March 9, 1891, per diem, No. 583	36 00
Total	<hr/> \$430 40

ISAAC S. FRENCH—

January 22, 1891, mileage No. 12.....	\$84 00
January 31, 1891, per diem No. 201.....	12 00
February 5, 1891, per diem No. 267.....	162 00
February 18, 1891, per diem No. 408.....	24 00
March 4, 1891, per diem No. 550.....	138 00
March 9, 1891, per diem No. 584.....	30 00
Total.....	<hr/> \$450 00

RICHARD A. FULK—

January 22, 1891, mileage No. 13.....	\$32 40
January 31, 1891, per diem No. 202.....	144 00
February 21, 1891, per diem No. 415.....	126 00
March 9, 1891, per diem No. 585.....	96 00
Total.....	<hr/> 398 40

WILLIAM W. GILMAN—

January 22, 1891, mileage No. 14.....	\$44 00
January 22, 1891, per diem No. 106.....	90 00
February 12, 1891, per diem No. 342.....	126 00
February 25, 1891, per diem No. 458.....	78 00
March 9, 1891, per diem No. 586.....	72 00
Total.....	<hr/> \$410 00

F. M. GRIFFITH—

January 22, 1891, mileage No. 15.....	\$42 40
January 22, 1891, per diem No. 105.....	90 00
February 6, 1891, per diem No. 269.....	90 00
February 21, 1891, per diem No. 416.....	90 00
March 9, 1891, per diem No. 587.....	96 00
Total.....	<hr/> \$408 40

ANDREW GRIMES—

January 22, 1891, mileage, No. 16	\$28 80
January 22, 1891, per diem, No. 100	90 00
February 5, 1891, per diem, No. 268	84 00
February 14, 1891, per diem, No. 352	54 00
February 21, 1891, per diem, No. 452	42 00
March 9, 1891, per diem, No. 588.....	96 00
<hr/>	
Total	\$894 80

WILLIAM GROSE—

January 22, 1891, mileage, No. 17	\$18 00
January 22, 1891, per diem, No. 135.....	90 00
February 11, 1891, per diem, No. 335.....	120 00
February 28, 1891, per diem, No. 491 ..	102 00
March 9, 1891, per diem, No. 589.....	54 00
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Total	\$384 00

FRANK J. HANLEY—

January 22, 1891, mileage, No. 18	\$40 00
January 22, 1891, per diem, No. 133	90 00
January 31, 1891, per diem, No. 202	54 00
February 12, 1891, per diem, No. 346	72 00
March 9, 1891, per diem, No. 590.....	150 00
<hr/>	
Total	\$406 00

A. E. HARLAN—

January 22, 1891, mileage, No. 19	\$20 00
January 22, 1891, per diem, No. 120	30 00
January 22, 1891, per diem, No. 140	60 00
January 28, 1891, per diem, No. 193	18 00
February 12, 1891, per diem, No. 345	108 00
March 9, 1891, per diem, No. 591.....	150 00
<hr/>	
Total	\$386 00

FRED J. HAYDEN—

January 22, 1891, mileage, No. 20	\$53 20
February 2, 1891, per diem, No. 260	156 00
February 28, 1891, per diem, No. 544	156 00
March 9, 1891, per diem, No. 592.....	54 00
<hr/>	
Total	\$419 20

SILAS A. HAYS—

January 22, 1891, mileage, No. 21	\$16 00
January 22, 1891, per diem, No. 113	90 00
February 12, 1891, per diem, No. 343.....	126 00
March 4, 1891, per diem, No. 553.....	120 00
March 9, 1891, per diem, No. 593.....	80 00
<hr/>	
Total	\$382 00

GEORGE W. HOBSON—

January 22, 1891, mileage, No. 22	\$24 00
February 12, 1891, per diem, No. 344	216 00
February 21, 1891, per diem, No. 453	54 00
March 9, 1891, per diem, No. 594.....	96 00
<hr/>	
Total	\$390 00

ALBERT G. HOLCOMB—

January 22, 1891, mileage, No. 23	\$64 80
January 22, 1891, per diem, No. 101	90 00
March 9, 1891, per diem, No. 595.....	276 00
<hr/>	
Total	\$430 80

WILLIAM G. HOLLAND—

January 22, 1891, mileage, No. 24	\$48 80
March 9, 1891, per diem, No. 596	366 00
<hr/>	
Total	\$414 80

T. E. HOWARD—

January 22, 1891, mileage, No. 25	\$64 00
March 9, 1891, per diem, No. 597.....	366 00
Total.....	<u>\$480 00</u>

ORRIN HUBBELL—

January 22, 1891, mileage, No. 26	\$64 00
January 22, 1891, per diem, No. 114.....	90 00
February 3, 1891, per diem, No. 263.....	72 00
February 11, 1891, per diem, No. 315.....	48 00
March 9, 1891, per diem, No. 598.....	156 00
Total.....	<u>\$480 00</u>

HENRY T. HUDSON—

January 22, 1891, per diem, No. 108	\$90 00
January 31, 1891, per diem, No. 206	54 00
February 17, 1891, per diem, No. 356.....	102 00
March 3, 1891, per diem, No. 549.....	84 00
March 9, 1891, per diem, No. 599.....	86 00
Total.....	<u>\$366 00</u>

A. M. JACKSON—

January 22, 1891, mileage, No. 27.....	\$67 20
January 22, 1891, per diem, No. 121	90 00
February 2, 1891, per diem, No. 259	66 00
February 12, 1891, per diem, No. 347.....	60 00
February 24, 1891, per diem, No. 457.....	72 00
March 9, 1891, per diem, No. 600.....	78 00
Total	<u>\$483 20</u>

PERRY O. JONES—

January 22, 1891, mileage, No. 28	\$50 00
January 23, 1891, per diem, No. 137	96 00
February 7, 1891, per diem, No. 302	90 00
February 16, 1891, per diem, No. 354	54 00
February 28, 1891, per diem, No. 495.....	72 00
March 9, 1891, per diem, No. 601.....	54 00
Total	<u>\$416 00</u>

WILLIAM KENNEDY—

January 22, 1891, mileage, No. 29	\$50 00
March 9, 1891, per diem, No. 602	366 00
Total.....	<u>\$416 00</u>

THOMAS KERTH—

January 22, 1891, mileage, No. 30	\$72 80
January 31, 1891, per diem, No. 134	90 00
February 2, 1891, per diem, No. 258	56 00
February 20, 1891, per diem, No. 412	108 00
March 9, 1891, per diem, No. 603... ..	102 00
Total.....	<u>\$438 80</u>

JOHANNES KOPELKE—

January 22, 1891, mileage, No. 31	\$62 00
January 22, 1891, per diem, No. 97	90 00
January 30, 1891, per diem, No. 197	48 00
March 9, 1891, per diem, No. 604.....	228 00
Total.....	<u>\$428 00</u>

ROBERT J. LOVELAND—

January 22, 1891, mileage No. 32.....	\$30 00
January 22, 1891, per diem, No. 112	90 00
February 3, 1891, per diem, No. 262	72 00
February 21, 1891, per diem, No. 418.....	108 00
March 9, 1891, per diem, No. 605.....	96 00
Total	<u>\$396 00</u>

IVERSON LYNN—

January 22, 1891, mileage, No. 33	\$50 00
January 22, 1891, per diem, No. 98	90 00
February 22, 1891, per diem, No. 411	174 00
March 9, 1891, per diem, No. 606.....	102 00
Total.....	<u>\$416 00</u>

JOHN McGREGOR—

January 22, 1891, mileage No. 34.....	\$34 40
January 22, 1891, per diem, No. 119	90 00
March 9, 1891, per diem, No. 607.....	276 00
Total.....	<u>\$400 40</u>

JOHN F. McHUGH—

January 22, 1891, mileage, No. 49	\$25 60
January 22, 1891, per diem, No. 102	90 00
February 11, 1891, per diem, No. 336	120 00
February 28, 1891, per diem, No. 486	102 00
March 9, 1891, per diem, No. 608.....	54 00
Total.....	<u>\$391 60</u>

RUFUS MAGEE—

January 22, 1891, mileage, No. 35	\$30 80
January 22, 1891, per diem, No. 122	90 00
February 7, 1891, per diem, No. 300	96 00
March 3, 1891, per diem, No. 542	126 00
March 9, 1891, per diem, No. 609.....	54 00
Total.....	<u>\$396 80</u>

JOSEPH D. MORGAN—

January 22, 1891, mileage, No. 36	\$63 60
January 22, 1891, per diem, No. 138.....	90 00
January 30, 1891, per diem, No. 196	48 00
February 12, 1891, per diem, No. 341	78 00
February 28, 1891, per diem, No. 487	96 00
March 9, 1891, per diem, No. 610.....	54 00
Total.....	<u>\$429 60</u>

JOSEPH J. MOORE—

January 22, 1891, mileage, No. 37	\$11 60
January 22, 1891, per diem, No. 123	90 00
February 28, 1891, per diem, No. 489.....	222 00
March 9, 1891, per diem, No. 611.....	54 00
Total.....	<u>\$377 60</u>

JAMES MOUNT—

January 22, 1891, mileage, No. 38	\$21 60
January 22, 1891, per diem, No. 111.....	90 00
February 12, 1891, per diem, No. 348.....	126 00
March 8, 1891, per diem, No. 612.....	150 00
Total.....	<u>\$387 60</u>

JOB OSBORN—

January 22, 1891, mileage, No. 39	\$30 00
January 22, 1891, per diem, No. 130	36 00
Total.....	<u>\$66 00</u>

E. W. SHANKS—

January 22, 1891, mileage, No. 40.....	\$60 00
February 11, 1891, per diem, No. 316.....	210 00
March 9, 1891, per diem, No. 613	156 00
Total.....	<u>\$426 00</u>

THEODORE SHOCKNEY—

January 22, 1891, mileage, No. 41	\$33 60
January 28, 1891, per diem, No. 191	102 00
January 28, 1891, per diem, No. 192	24 00
February 11, 1891, per diem, No. 312.....	84 00
February 21, 1891, per diem, No. 420	60 00
March 3, 1891, per diem, No. 546.....	60 00
March 9, 1891, per diem, No. 614.....	36 00
Total.....	<u>\$399 60</u>

HARRY B. SMITH—

January 22, 1891, mileage, No. 42	\$30 00
January 22, 1891, per diem, No. 107	90 00
February 5, 1891, per diem, No. 266.....	84 00
February 20, 1891, per diem, No. 410	90 00
February 28, 1891, per diem, No. 492	48 00
March 9, 1891, per diem, No. 615.....	54 00
Total	<u>\$396 00</u>

JOHN SWEENEY—

January 22, 1891, mileage, No. 43	\$98 80
January 22, 1891, per diem No. 110.....	90 00
January 31, 1891, per diem No. 229....	54 00
February 6, 1891, per diem No. 270.....	36 00
February 12, 1891, per diem, No. 340.....	36 00
February 27, 1891, per diem, No. 460.....	90 00
March 9, 1891, per diem, No. 616.....	60 00
Total	<hr/> \$464 80

W. C. THOMPSON—

January 22, 1891, per diem, No. 124.....	\$90 00
February 11, 1891, per diem, No. 314..	120 00
March 9, 1891, per diem, No. 617	156 00
Total	<hr/> \$366 00

GEORGE H. THOMPSON—

January 22, 1891, mileage, No. 44	\$40 00
January 22, 1891, per diem, No. 125	90 00
February 14, 1891, per diem, No. 350	60 00
March 3, 1891, per diem, No. 547.....	30 00
March 9, 1891, per diem, No. 621	186 00
Total	<hr/> 406 00

W. H. THOMPSON—

January 22, 1891, mileage, No. 45	\$41 60
January 22, 1891, per diem, No. 103	90 00
January 30, 1891, per diem, No. 198	48 00
February 4, 1891, per diem, No. 264	30 00
February 16, 1891, per diem, No. 407	72 00
February 24, 1891, per diem, No. 456	48 00
March 9, 1891, per diem, No. 622.....	78 00
Total	<hr/> \$407 60

HENRY J. WIGGS—

January 22, 1891, mileage, No. 46	\$59 60
January 29, 1891, per diem, No. 194	132 00
March 9, 1891, per diem, No. 623.....	234 00
Total	<u>\$425 60</u>

JOHN YARYAN—

January 22, 1891, mileage, No. 47	\$32 00
January 22, 1891, per diem, No. 126	90 00
March 9, 1891, per diem, No. 624.....	276 00
Total	<u>\$398 00</u>

IRA J. CHASE, Lieutenant-Governor—

January 22, 1891, mileage, No. 48.....	\$8 00
January 22, 1891, per diem, No. 95.....	96 00
January 30, 1891, per diem, No. 200.....	88 00
February 11, 1891, per diem, No. 339.....	96 00
March 9, 1891, per diem, No. 625.....	208 00
Total	<u>\$496 00</u>

Per diem of Principal Secretary.....	\$366 00
Per diem of Assistant Secretary	366 00
Per diem of Door-keeper	366 00
Per diem of employes of Principal Secretary.....	3,355 00
Per diem of employes of Assistant Secretary.....	2,745 00
Per diem of employes of Door-keeper.....	5,735 00
Per diem of Pages.....	476 00
Per diem of Clerks of Committees.....	1,505 00
Extra to Principal Secretary, for indexing acts, etc., No. 551.....	450.00
Extra to Assistant Secretary, for indexing Journal, etc., No. 552.....	500 00
Extra to Minute Clerk, No. 620	61 00
Extra to Reading Clerk, No. 619	150 00
Extra to Assistant Door-keeper, Warrant No. 618...	60 00
Sundries for use of Senate, per resolutions of Feb- ruary 20 and 21, warrants numbered 479, 480, 481, 482, 483, 484	23 85

Expense of Prison Committee, Nos. 554 to 564	\$130 00
Expense of Committee on Benevolent and Reform- atory Institutions, Nos. 575 to 581	88 00
Allowance for completing Journal, per warrants Nos. 678 to 687, inclusive	255 00
Expense of railing, Healey & O'Brien (resolution), warrant No. 688	43 51

Aggregate amount of all warrants issued..... \$37,534 58

The number of warrants, the specified amounts thereof, and to whom payable, are set forth upon the accompanying ledger, kept by the Assistant Secretary of the Senate, and filed herewith.

IRA J. CHASE,
President of Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of Senate.

The Committee on Inspection of the Journal made the following report:

Your Committee appointed on Inspection of the Journal report they have examined the same and find it correct.

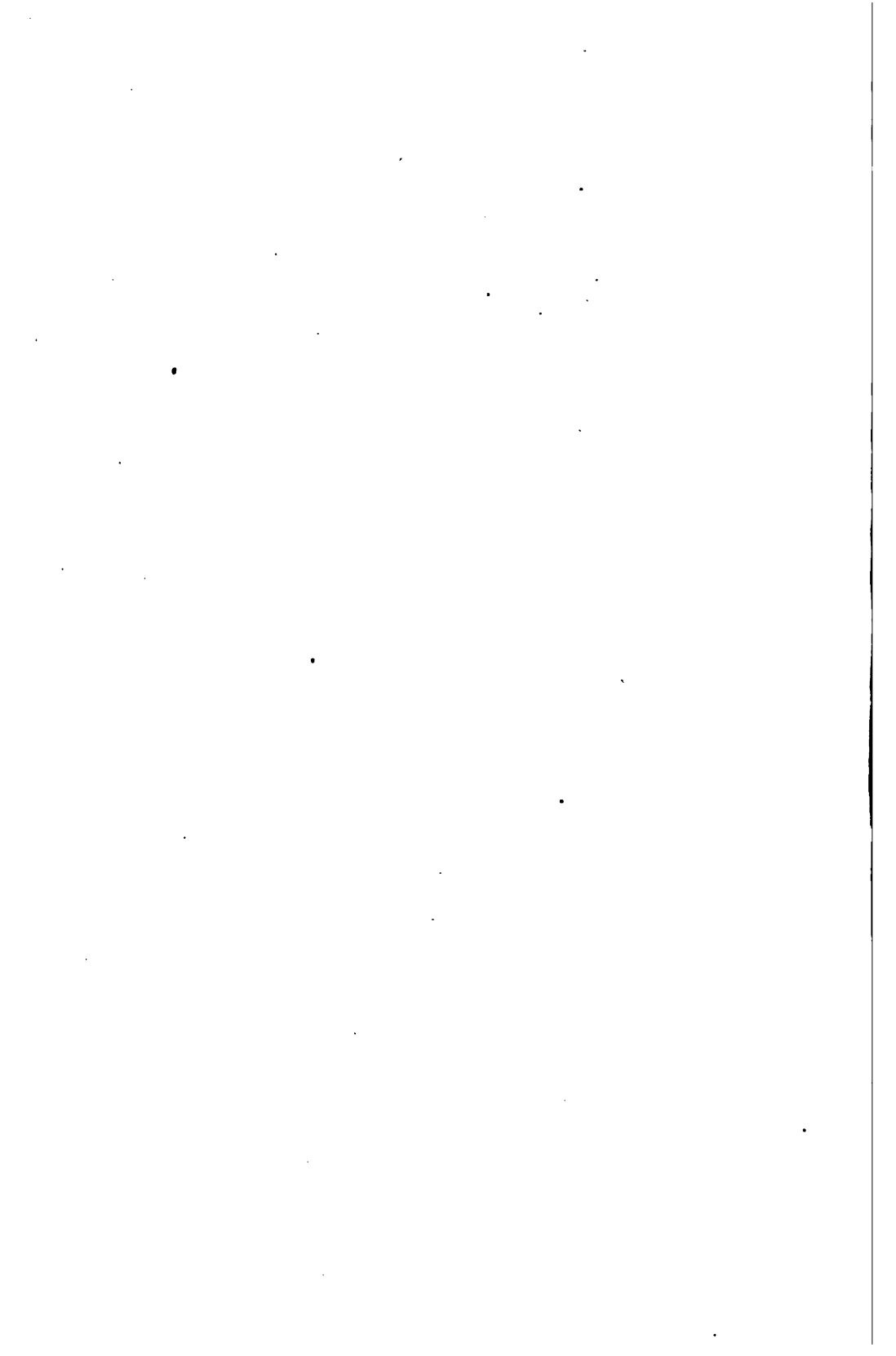
P. O. JONES,
Chairman.

On motion of Senator Hayden the Senate adjourned *sine die*.

IRA J. CHASE,
President of the Senate.

GEORGE S. PLEASANTS,
Assistant Secretary of the Senate.

APPENDIX.



Fifty-Seventh General Assembly of Indiana,

REGULAR SESSION.

SENATE CALENDAR

OF ALL

Bills and Joint Resolutions

PENDING IN THE SENATE

----- ON -----

MONDAY, MARCH 9, 1891.

OFFICERS OF THE SENATE.

PRESIDENT OF THE SENATE,
LIEUT.-GOVERNOR IRA J. CHASE.

PRINCIPAL SECRETARY,
D. H. FENTON.

ASSISTANT SECRETARY,
GEORGE S. PLEASANTS

DOORKEEPER,
OLIVER T. WELLS

SENATE BILLS.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
1	Jan. 9 . .	A bill for an act in relation to the construction of the statutes	Griffiths.	Feb. 19 . .	Passed and referred to House.
2	Jan. 9 . .	A bill to provide for arrangement and display at the World's Columbia Exposition	Boyd	Mar. 2 . .	Indefinitely postponed.
3	Jan. 9 . .	A bill for an act to provide against the evils resulting from the use of intoxicating liquors, by local option	Harlan	Feb. 17 . .	Indefinitely postponed.
4	Jan. 9 . .	A bill for an act concerning the fixing of fees and salaries of county officers and their deputies, by Board of County Commissioners.	Hays	Jan. 9 . .	Read first time and referred to Committee on Fees and Salaries.
5	Jan. 9 . .	A bill for an act to provide for the care of insane convicts and inmates of reformatories and defining duties of Governor, wardens and superintendents.	Holcombe	Feb. 14 . .	Passed and referred to House.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
6	Jan. 9 . .	A bill for an act concerning the incorporation of building and loan associations on what is known as the national plan	Hubbell.	Feb. 19 . .	Indefinitely postponed.
7	Jan. 9 . .	A bill for an act in relation to County Surveyors and the repairing of county ditches	Jackson.	Jan. 16 . .	Reported bill be indefinitely postponed.
8	Jan. 9 . .	A bill for an act to require the listing of money demands for taxation	Kopelke.	Jan. 9 . .	Read first time and referred to Committee on Finance.
9	Jan. 9 . .	A bill for an act for the relief of railroad employees, providing certain rules and regulations and declaring it unlawful to use any defective machinery	Magee.	Jan. 9 . .	Read first time and referred to Judiciary.
10	Jan. 9 . .	A bill for an act making appropriations for the Indiana School for Feeble-Minded Youth	Morgan.	Mar. 5 . .	Passed and referred to House.
11	Jan. 9 . .	A bill for an act to suppress bucket shops and gambling in grain, provisions, stocks, bonds, petroleum and cotton	Shockney	Feb. 14 . .	Passed and referred to House.

12	Jan. 9 . . .	A bill for an act concerning the negligence of employees and what defense can not be made to actions hereafter brought alleging personal injury or death . . .	Foley	Jan. 9 . .	Read first time and referred to Committee on Judiciary.
13	Jan. 9 . .	A bill for an act concerning the completion and equipment of the Southern Indiana Hospital for Insane and for payment for labor furnished.	Kerth.	Feb. 2 . .	Referred to Finance Committee.
14	Jan. 9 . .	A bill for an act concerning compulsory education and providing penalties for violation of same	Hobson	Feb. 28 . .	Laid on the table.
15	Jan. 12 . .	A bill for an act concerning the Indiana Soldiers' and Sailors' Orphans' Home.	Boyd	Mar. 5 . .	Signed.
16	Jan. 12 . .	A bill for an act to amend section two of an act fixing the salaries of County Commissioners, Township Assessors and Trustees	Boyd	Jan. 12 . .	Read first time and referred to Committee on Fees and Salaries.
17	Jan. 12 . .	A bill for an act to amend sections one and two of an act for the encouragement of agriculture, etc	Clemans	Feb. 14 . .	Indefinitely postponed.
18	Jan. 12 . .	A bill for an act creating the Eighth and Fifty-Sixth Judicial Circuit, fixing the length of terms and time of holding the terms of court	Ewing	Feb. 17 . .	Indefinitely postponed.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
19	Jan. 12 . .	A bill for an act creating a court of arbitration, for the adjustment of grievances and disputes that may arise between employer and employee, and defining its powers	Foley	Feb. 6 . .	Indefinitely postponed.
20	Jan. 12 . .	A bill for an act to amend section 6 of an act authorizing cities and incorporated towns to construct, maintain and operate water works, issue and sell bonds, etc	Francis	Jan. 28 . .	Indefinitely postponed.
21	Jan. . .	A bill for an act prescribing the mode of assessment of real estate in cities and incorporated towns of less than four thousand inhabitants, for improving streets.	Gilman	Feb. 5 . .	Passed and referred to House.
22	Jan. 12 . .	A bill for an act in relation to the jurisdiction of courts in certain cases. . .	Griffith	Jan. 21 . .	Indefinitely postponed.
23	Jan. 12 . .	A bill for an act concerning the duties of Board of Trustees of the Indiana School for Feeble-Minded Youth, limiting the age of pupils to be received into said school, etc.	Hayden	Mar. 2 . .	Passed.

24	Jan. 12 . .	A bill for an act to repeal section 4, of an act relating to husband and wife . .	Hays	Jan. 12 . .	Read first time and referred to Committee on Judiciary.
25	Jan. 12 . .	A bill for an act for the encouragement of life-time convicts in State Prisons . .	Hobson	Jan. 22 . .	Indefinitely postponed.
26	Jan. 12 . .	A bill for an act for a creditable exhibit of the resources of the State of Indiana at the World's Fair	Gruse	Mar. 2 . .	Indefinitely postponed.
27	Jan. 12 . .	A bill for an act to define and limit the application of an act concerning the ownership and alienation of real estate by aliens	Holcomb	Jan. 12 . .	Read first time and referred to Committee on Judiciary.
28	Jan. 12 . .	A bill for an act to create an Appellate Court	Howard	Mar. 2 . .	Signed by the Governor.
29	Jan. 12 . .	A bill for an act to amend sections eleven and one-hundred and eight of an act concerning taxation, being sections 6280 and 6376 of the Revised Statutes of 1881	Hubbell	Mar. 4 . .	Indefinitely postponed.
30	Jan. 12 . .	A bill for an act to establish a State Board of Health, and defining its powers and duties, etc	Hudson	Feb. 19 . .	Passed over Governor's veto.
31	Jan. 12 . .	A bill for an act relating to drainage and authorizing an appropriation by the Board of County Commissioners in certain cases	Jackson	Jan. 20 . .	Indefinitely postponed.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
32	Jan. 12 . .	A bill for an act making it the duty of County Auditors to reduce the rate of interest from 8 per cent. on school fund loans made previous to the 2d day of March, 1869.	Kennedy	Feb. 18 . .	Failed to pass in the House.
33	Jan. 12 . .	A bill for an act to amend section 2 of an act fixing the salaries of County Commissioners, Township Assessors and Trustees.	Kerth.	Jan. 23 . .	Referred to Committee on Fees and Salaries.
34	Jan. 12 . .	A bill for an act for the recording and admission of evidence of affidavits affecting lands	Kopelke.	Jan. 27 . .	Indefinitely postponed.
35	Jan. 12 . .	A bill for an act to amend section 173 of an act concerning public offenses and their punishment.	Loveland	Feb. 2 . .	Passed and referred to House.
36	Jan. 12 . .	A bill for an act creating trust companies and regulating the same	Magre.	Feb. 18 . .	On second reading.
37	Jan. 12 . .	A bill for an act to amend section 2031 of the R. S. of 1881.	Mount	Jan. 21 . .	On second reading.

38	Jan. 12. .	A bill for an act authorizing the commissioners for the removal of the limestone ledge in the Kankakee River, to make certain changes in the channel	Shauks	Mar. 4 . .	Signed by Governor.
39	Jan. 12. .	A bill for an act to regulate the Boards of School Trustees in cities and towns, etc.	Shockney	Feb. 3 . .	Indefinitely postponed.
40	Jan. 12. .	A bill for an act to prevent the waste of natural gas	Smith	Jan. 20 . .	Indefinitely postponed.
41	Jan. 12. .	A bill for an act to prohibit the standing and breeding of certain animals, and providing penalties for the violation thereof	Thompson	Jan. 29 . .	Indefinitely postponed.
42	Jan. 12. .	A bill for an act fixing the salaries of certain county officers, and providing for the employment and compensation of deputies, etc	Thompson	Jan. 12 . .	Read first time and referred to Committee on Fees and Salaries.
43	Jan. 12. .	A bill for an act to limit the rate that railroad companies and other common carriers may charge for carrying and transporting passengers.	Caster	Feb. 26 . .	Indefinitely postponed.
44	Jan. 12. .	A bill for an act requiring compulsory education	Magee	Jan. 12 . .	Read first time and referred to Committee on Education.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
45	Jan. 12 . .	A bill for an act to amend section 1 of an act to amend sections 1, 6, 19, 20 and 34 of an act concerning highways and supervisors thereof, approved March 2, 1883.	. . . . .	Mar. 6 . .	Signed by the Governor.
46	Jan. 12 . .	A bill for an act declaring unlawful all trusts, pools, contracts, agreements and arrangements in restraint of trade, etc.	Shockney	Feb. 6 . .	Referred to House.
47	Jan. 12 . .	A bill for an act to prevent the hunting, trapping, killing or taking of quails.	Caster.	Feb. 2 . .	Indefinitely postponed.
48	Jan. 12 . .	A bill for an act legalizing the acts of Notaries Public whose commissions have expired.	Clemans.	Feb. 20 . .	Signed by the Governor.
49	Jan. 12 . .	A bill for an act legalizing the incorporation of the town of Westport, Decatur County, Indiana	Ewing.	Feb. 4 . .	Signed by the Governor.
50	Jan. 12 . .	A bill for an act authorizing cities and incorporated towns to lay out and improve public parks	Francis	Mar. 5 . .	Signed by the Governor.

51	Jan. 12 . .	A bill for an act for the relief of Jacob B. Julian and John F. Julian	Grose	Jan. 29 . .	Indefinitely postponed
52	Jan. 12 . .	A bill for an act providing for the payment of certain moneys for the construction of the building of the Indiana School for Feeble-Minded Youths . .	Hayden	Mar. 3 . .	Signed by the Governor.
53	Jan. 12 . .	A bill for an act providing for the recording of orders of courts, etc	Kopelke	Jan. 28 . .	Referred to House.
54	Jan. 12 . .	A bill for an act fixing the compensation of Sheriffs for removing persons to the Insane Asylums, Reform Schools and for taking convicts to the State Prisons, etc	Shockney	Jan. 12 . .	Read first time and referred to Committee on Fees and Salaries.
55	Jan. 14 . .	A bill for an act for the protection of persons confined in the Hospital for the Insane	Thompson	Feb. 2 . .	Second reading.
56	Jan. 14 . .	A bill for an act for the better security of money and property of minors and persons of unsound mind.	Clemans	Feb. 10 . .	Failed to pass.
57	Jan. 14 . .	A bill for an act to amend section 1, concerning the re-location of county seats.	Francis	Jan. 27 . .	Second reading.
58	Jan. 14 . .	A bill for an act to amend sections 3 and 5 concerning drainage, approved April 6, 1885	Grimes	Feb. 12 . .	Passed and referred to House.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
59	Jan. 14 . .	A bill for an act for the better government of the benevolent institutions	Grose	Feb. 2 . .	Second reading.
60	Jan. 14 . .	A bill for an act legalizing the incorporation of the town of Pine Valley, Warren County, Indiana	Hanley	Jan. 23 . .	Signed by the Governor.
61	Jan. 14 . .	A bill for an act abolishing the State Board of Agriculture	Ewing	Mar. 3 . .	Law by lapse of time without Governor's signature.
62	Jan. 14 . .	A bill for an act providing for the relief of the Supreme Court	Byrd	Jan. 30 . .	Indefinitely postponed.
63	Jan. 14 . .	A bill for an act making it unlawful to burn natural gas in flambeau lights. .	Harlan	Feb. 25 . .	Law by lapse of time.
64	Jan. 14 . .	A bill for an act fixing the time of holding court in the Sixth Judicial Circuit	Holland	Jan. 22 . .	Signed by the Governor.
65	Jan. 14 . .	A bill for an act to amend sections 4 and 16 of an act concerning building and loan associations	Foley	Feb. 6 . .	Second reading.

66	Jan. 14 . .	A bill for an act to amend section 49 of an act to amend the 15th, 19th, 31st and 42d sections of an act approved May 12, 1869	Kerth	Feb. 27 . .	Signed by the Governor.
67	Jan. 14 . .	A bill for an act to amend section 470, Revised Statutes	Kopelke	Feb. 5 . .	Failed to pass.
68	Jan. 14 . .	A bill for an act to amend section 1 concerning an act authorizing County Commissioners to accept certain gravel roads	Loveland	Feb. 17 . .	Referred to House.
69	Jan. 14 . .	A bill for an act providing for the appointment of Commissioners for the World's Fair	Magee	Jan. 14 . .	Read first time and referred to Committee on World's Fair.
70	Jan. 14 . .	A bill for an act providing a remedy for attempted taxation of Indiana lands not subject to taxation	Morgan	Mar. 5 . .	Signed by the Governor.
71	Jan. 14 . .	A bill for an act to amend an act concerning the apprehension and detention of horse thieves.	Mount	Mar. 4 . .	Signed by the Governor.
72	Jan. 14 . .	A bill for an act authorizing the Common Councils of cities to divide the said cities into wards, to change the boundaries, etc.	McHugh	Mar. 4 . .	Signed by the Governor.
73	Jan. 14 . .	A bill for an act authorizing Boards of County Commissioners and other proper officers of counties adjoining to construct ditches and drains	Shockney	Feb. 20 . .	Signed by the Governor.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
74	Jan. 14 . .	A bill for an act to compel railroad companies to provide suitable waiting rooms, etc.	Sweeney. . . .	Mar. 2 . .	Signed by the Governor.
75	Jan. 14 . .	A bill for an act to amend sections 6 and 7 of an act concerning the obstruction of ditches and drains, etc. .	Thompson, of Pualaski.	Feb. 2 . .	Passed and referred to House.
76	Jan. 14 . .	A bill for an act enabling Superintendent of hospitals for insane to make room for homeless, incurable patients . . .	Magee.	Feb. 20 . .	Failed to pass.
77	Jan. 14 . .	A bill for an act providing for the reimbursement of Medical Superintendents of the Northern Hospital for Insane .	Magee.	Feb. 20 . .	Signed by the Governor.
78	Jan. 14 . .	A bill for an act to empower County Commissioners to build toll roads.	Magee.	Jan. 26 . .	Motion for second reading lost.
79	Jan. 14 . .	A bill for an act defining usury	Magee	Feb. 9 . .	Engrossed on third reading.
80	Jan. 15 . .	A bill for an act providing for the appointment of administrators de bonis non in certain cases.	Hays	Mar. 4 . .	Signed by the Governor.

81	Jan. 15. .	A bill for an act concerning roads and highways	Clemans	Feb. 2 . .	Indefinitely postponed.
82	Jan. 15. .	A bill for an act to repeal section 1983 of the Revised Statutes.	Ewing	Jan. 21. .	Indefinitely postponed.
83	Jan. 15. .	A bill for an act to repeal sections 2637 and 2638 of the Revised Statutes. . . .	Fulk	Feb. 9 . .	Engrossed on third reading.
84	Jan. 15. .	A bill for an act to amend sections 3204, 3206 and 3207 of the Revised Statutes.	Hubbell.	Feb. 20. .	Signed by the Governor.
85	Jan. 15. .	A bill for an act to legalize the acts of the several boards of trustees of the town of Fowler.	Gilman	Jan. 21. .	Indefinitely postponed.
86	Jan. 15. .	A bill for an act to regulate the sale of intoxicating liquors	Grose	Jan. 23. .	Laid on the table.
87	Jan. 15. .	A bill for an act to amend section 1771 of the Revised Statutes	Harlan	Feb. 13. .	Failed to pass.
88	Jan. 15. .	A bill for an act legalizing the conveyances of real estate by attorneys in fact in certain cases	Hays	Jan. 28. .	Failed to pass the House.
89	Jan. 15. .	A bill for an act repealing sections 4045, 4046 and 4047 of the Revised Statutes.	Holcomb.	Jan. 26. .	Third reading.
90	Jan. 15. .	A bill for an act making public opinions of the Supreme Court evidence in certain cases	Holland.	Mar. 6 . .	Passed.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
91	Jan. 15 . .	A bill for an act for the issue of drainage bonds.	Howard.	Jan. 28 . .	Indefinitely postponed.
92	Jan. 15 . .	A bill for an act to amend sections 49 and 50 of an act concerning proceedings in criminal cases, approved April 19, 1881.	Hubbell.	Feb. 19 . .	Passed and referred to House.
93	Jan. 15 . .	A bill for an act for the relief of Stewart Porter, ex-Trustee of Keese Township, Davies County	Kennedy	Jan. 30 . .	Passed and referred to the House.
94	Jan. 15 . .	A bill for an act to establish county courts.	Kopelke.	Jan. 21 . .	Indefinitely postponed.
95	Jan. 15 . .	A bill for an act to amend section 581 of the Revised Statutes	McClugh	Feb. 19 . .	Signed.
96	Jan. 15 . .	A bill for an act providing for the current expense for the Northern Hospital for the Insane.	Magee.	Jan. 15 . .	Read first time and referred to Committee on Finance.
97	Jan. 15 . .	A bill for an act concerning the employment of physicians and surgeons. . .	Shockney	Feb. 10 . .	Indefinitely postponed.

98	Jan. 15 . . .	A bill for an act compelling telegraph companies operating lines outside of towns and cities to construct lines thirty feet from residences	Sweeney	Jan. 23 . .	Laid on the table.
99	Jan. 15 . . .	A bill for an act to legalize illegitimate children that they may inherit from their father	Wiggs	Jan. 23 . .	Laid on the table.
100	J n. 16 . . .	A bill for an act appropriating money to pay a judgment against the State of Indiana in favor of Henry Stucey . . .	Foley	Mar. 7 . .	Signed by the Governor.
101	Jan. 16 . . .	A bill for an act to amend section 1771 of the Revised Statutes.	Foley	Jan. 23 . .	Indefinitely postponed.
102	Jan. 16 . . .	A bill for an act to make certain reductions of taxation on real estate and providing for the payment of taxes on mortgages, etc	Harlan	Jan. 23 . .	Referred to Committee on Finance.
103	Jan. 16 . . .	A bill for an act to provide for the recording of instruments acknowledged in foreign countries	Kopelke	Feb. 17 . .	Passed and referred to House.
104	Jan. 16 . . .	A bill for an act to amend an act concerning drainage, approved April 6, 1885, and being section 1186 of Elliot's Supplement	Magee	Jan. 23 . .	Indefinitely postponed.
105	Jan. 16 . . .	A bill for an act to provide for the superintending of the construction of free gravel roads	Shockney	Feb. 2 . .	Laid on the table.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Lost Action.	CONDITION OF BILL.
106	Jan. 16 . .	A bill for an act to amend section 1917 of the Revised Statutes	Hanley	Jan. 30 . .	Passed and referred to House.
107	Jan. 16 . .	A bill for an act fixing the time for the returns of Township Assessors	Kopelke	Feb. 6 . .	Indefinitely postponed.
108	Jan. 16 . .	A bill for an act concerning interest and usury	French	Feb. 5 . .	Laid on the table.
109	Jan. 16 . .	A bill for an act to amend section 1927 of the Revised Statutes, concerning public offenses	Ewing	Mar. 6 . .	Signed.
110	Jan. 16 . .	A bill for an act to amend an act concerning proceedings in criminal cases, approved April 19, 1881	Magee	Jan. 23 . .	Indefinitely postponed.
111	Jan. 16 . .	A bill for an act providing for the exemption of homestead and other property from execution	Jones	Feb. 11 . .	Indefinitely postponed.
112	Jan. 17 . .	A bill for an act to regulate the mode of procuring and transporting natural gas	Smith	Mar. 3 . .	Law by lapse of time.

113	Jan. 17 . .	A bill for an act legalizing the incorporation of the town of Leavenworth . .	Lynn	Jan. 30 . .	Passed and referred to House.
114	Jan. 17 . .	A bill for an act to amend an act to amend sections of several acts concerning the appropriation of money to pay members of the Indiana Legion, militia and minute men.	McGregor	Jan. 17 . .	Read first time and referred to Committee on Military Affairs.
115	Jan. 17 . .	A bill for an act to legalize records and acknowledgment of deeds, etc., not properly certified.	Kopalke.	Mar. 7 . .	Signed by the Governor.
116	Jan. 19 . .	A bill for an act to regulate the use of natural gas, etc.	Boyd	Jan. 30 . .	Indefinitely postponed.
117	Jan. 19 . .	A bill for an act prohibiting the obstruction of drains	Chandler	Jan. 30 . .	Indefinitely postponed.
118	Jan. 19 . .	A bill for an act abolishing the office of Mine Inspector.	Byrd	Mar. 3 . .	Passed over Governor's veto.
119	Jan. 19 . .	A bill for an act for the protection of quails.	Clemans.	Jan. 29 . .	On third reading.
120	Jan. 19 . .	A bill for an act providing for fire insurance by the State.	Gilman	Feb. 4 . .	On second reading.
121	Jan. 19 . .	A bill for an act to amend section 1640 of the Revised Statutes of 1881.	Hays	Jan. 28 . .	Indefinitely postponed.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
122	Jan. 19 . .	A bill for an act to amend sections 4, 8 and 10 of an act concerning the powers and duties of cities and incorporated towns.	Howard.	Mar. 4 . .	Signed by the Governor.
123	Jan. 19 . .	A bill for an act concerning Circuit Courts and Boards of County Commissioners	Jackson.	Jan. 21 . .	On second reading.
124	Jan. 19 . .	A bill for an act to amend section 36 of the act of March 2, 1883, concerning highways	Kopelke.	Jan. 30 . .	Passed and referred to House.
125	Jan. 19 . .	A bill for an act concerning corporations organized under the laws of other States.	Kopelke.	Feb. 5 . .	Passed and referred to House.
126	Jan. 19 . .	A bill for an act to legalize the incorporation of the Lapeere Union Railway .	McHugh	Feb. 27 . .	Signed by the Governor.
127	Jan. 19 . .	A bill for an act to legalize the acts of the Trustees of the Town of Michigan. .	Mount.	Feb. 20 . .	Signed by the Governor.

128	Jan. 19 . . .	A bill for an act to amend Sec. 255, concerning procedures in civil causes. Approved April 7, 1881.	Shockney	Feb. 17 . .	Laid on the table.
129	Jan. 19 . . .	A bill for an act to amend Secs. 8 and 16 of an act concerning public offenses. Approved April 14, 1881	Wiggs	Jan. 23 . .	Indefinitely postponed.
130	Jan. 19 . . .	A bill for an act for the protection of quail and ruffed grouse.	Hayden.	Feb. 19 . .	Failed to pass for want of a constitutional majority.
131	Jan. 19 . . .	A bill for an act requiring corporations and associations, firms and persons engaging in mining and manufacturing to pay their employees once in every two weeks, etc.	Byrd	Mar. 5 . .	Signed by the Governor.
132	Jan. 19 . . .	A bill for an act to remove the disabilities of married women	Hays	Feb. 9 . .	Indefinitely postponed.
133	Jan. 19 . . .	A bill for an act to amend section 7 of an act approved June 9, 1852, concerning the appointment of Notaries Public . . . . .	. . . . .	Mar. 7 . .	Signed by the Governor.
134	Jan. 19 . . .	A bill for an act to amend section 6, etc., concerning the regulation of insanity inquests, etc.	Holland.	Jan. 28 . .	Indefinitely postponed.
135	Jan. 20 . . .	A bill for an act to extend and regulate liability of employers	Shockney	Jan. 20 . .	Referred to Committee on Judiciary.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
136	Jan. 20 . . .	A bill for an act to legalize acts of Deputy Recorders who were under the age of twenty-one years in the County of Lawrence	Ellison	Mar. 7 . .	Signed by the Governor.
137	Jan. 20 . . .	A bill for an act to amend section 1, concerning Metropolitan Police	Foley	Mar. 2 . .	Passed over (Governor's veto.
138	Jan. 20 . . .	A bill for an act to amend sections 321 and 387 of the Revised Statutes concerning proceedings in civil cases, and grand and petit juries.	Fulk	Feb. 23 . .	Indefinitely postponed.
139	Jan. 20 . . .	A bill for an act to establish and maintain a work-house in county seat of 3,000 inhabitants	Fulk	Jan. 28 . .	On Second reading.
140	Jan. 20 . . .	A bill for an act providing for the docking of cases appealed to the Supreme Court.	Grimes	Jan. 23 . .	Indefinitely postponed.
141	Jan. 20 . . .	A bill for an act concerning partition fences between enclosures in cities and towns	Harlan	Feb. 6 . .	Indefinitely postponed.

142	Jan. 20 . .	A bill for an act to repeal section 6 of an act entitled an act to amend section 10 of an act concerning insanity inquests.	Holland	Feb. 20 . .	Signed by the Governor.
143	Jan. 20 . .	A bill for an act concerning preservation of the health of female employes in manufacturing and mercantile establishments	Hudson	Mar. 6 . .	Signed by the Governor.
144	Jan. 20 . .	A bill for an act to amend sections 1985 and 1987 of the Revised Statutes . .	Kennedy	Jan. 23 . .	Laid on the table.
145	Jan. 20 . .	A bill for an act for the relief of Moses M. Esty . . . . .	. . . . .	Feb. 10 . .	Second reading.
146	Jan. 20 . .	A bill for an act to fix the time for holding court in the Third Judicial Circuit	Lynn	Feb. 27 . .	Signed by the Governor.
147	Jan. 20 . .	A bill for an act concerning the publication of notice in newspapers	McHugh	Mar. 4 . .	Signed by the Governor.
148	Jan. 20 . .	A bill for an act to amend section 4069 of the Revised Statutes	McHugh	Feb. 18 . .	On second reading.
149	Jan. 20 . .	A bill for an act concerning boards of trustees and councilmen of towns and cities	Shockney	Feb. 12 . .	Passed and referred to House.
150	Jan. 20 . .	A bill for an act to amend sections 85 and 89, approved April 7, 1881, concerning proceedings in civil cases	Shockney	Feb. 18 . .	Failed to pass.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
151	Jan. 21 . .	A bill for an act concerning drainage . .	Shockney	Feb. 24 . .	On third reading.
152	Jan. 21 . .	A bill for an act providing for the re-location of county seats.	Griffith	Feb. 5 . .	Failed to pass.
153	Jan. 21 . .	A bill for an act to amend section 5134 of the Revised Statutes	Moore.	Feb. 4 . .	Passed and referred to House.
154	Jan 21 . .	A bill for an act concerning the receipt and disbursement of public funds . .	Ellison	Mar. 4 . .	Indefinitely postponed.
155	Jan. . . 21	A bill for an act to repeal section 6 and supplemental section 28 of an act concerning insanity inquests and commitment of insane persons	Fulk	Feb. 4 . .	Laid on the table.
156	Jan. 21 . .	A bill for an act to amend section 978 of the Revised Statutes	Clemans.	Feb. 6 . .	Indefinitely postponed.
157	Jan. 21 . .	A bill for an act to provide for the improvement of drains and water channels	Mount	Feb. 4 . .	Passed and referred to House.
158	Jan. 21 . .	A bill for an act for the examination and licensing engineers of steam engines, boilers and pumps	McHugh	Feb. 13 . .	Indefinitely postponed.

159	Jan. 21 . . .	A bill for an act concerning legal publication of legal advertising in daily newspapers	Ewing	Feb. 3 . . .	On third reading.
160	Jan. 21 . . .	A bill for an act concerning the salaries of Judges in the Superior and Circuit Courts	Ewing	Feb. 2 . . .	Committee on Judiciary.
161	Jan. 21 . . .	A bill for an act to amend section 5849 of the Revised Statutes	Howard	Mar. 6 . . .	Signed by the Governor.
162	Jan. 12 . . .	A bill for an act for the payment of balances due certain contractors for the equipment of the Southern and Eastern Hospitals for the Insane	Magee	Jan. 21 . . .	Referred to Committee on Finance.
163	Jan. 22 . . .	A bill for an act to prohibit printing and circulating of obscene literature, etc	Mount	Jan. 22 . . .	Referred to Committee on Education.
164	Jan. 22 . . .	A bill for an act to make uniform the commencement of county officers	Shockney	Feb. 4 . . .	Laid on the table.
165	Jan. 22 . . .	A bill for an act concerning fees and compensation of County Commissioners, etc	Shockney	Jan. 22 . . .	Referred to Committee on Fees and Salaries.
166	Jan. 23 . . .	A bill for an act concerning the establishment of work-houses	Akin	Feb. 12 . . .	Passed and referred to House.
167	Jan. 23 . . .	A bill for an act fixing the time of holding court in the Tenth Judicial Circuit	Fulk	Feb. 4 . . .	Signed by Governor.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
168	Jan. 23 . .	A bill for an act concerning purchasing of flags for schools	Hanley	Jan. 27 . .	Indefinitely postponed.
169	Jan. 23 . .	A bill for an act to amend section 4 concerning the sale of spirituous, vinous or malt liquors	Hobson	Feb. 21 . .	Indefinitely postponed.
170	Jan. 23 . .	A bill for an act limiting amount of taxes that may be levied in certain counties.	Hudson	Mar. 5 . .	Signed by the Governor.
171	Jan. 23 . .	A bill for an act to amend sections 2 and 4, being sections 3434 and 3436 of Revised Statutes concerning the incorporation of high schools, colleges, academies, etc.	Morgan	Feb. 20 . .	Indefinitely postponed.
172	Jan. 23 . .	A bill for an act concerning the enumerating and listing of school children for school revenue purposes.	Mount	Jan. 23 . .	Referred to Committee on Education.
173	Jan. 23 . .	A bill for an act concerning mortgages on real property	Foley	Feb. 4 . .	Indefinitely postponed.

174	Jan. 26 . .	A bill for an act to amend section 3040 relating to gravel and other roads . . .	Boyd	Feb. 2 . .	Indefinitely postponed.
175	Jan. 26 . .	A bill for an act to amend section 4 of an act concerning gravel and macadamized roads	Chandler	Mar. 1 . .	Signed by the Governor.
176	Jan. 26 . .	A bill for an act to amend section 2533 of the Revised Statutes, and to legalize sales made under said section and declaring an emergency	Chandler	Mar. 2 . .	Signed by the Governor.
177	Jan. 26 . .	A bill for an act to amend section 2289 of the Revised Statutes, providing for the settlement and distribution of decedents' estates, etc.	Ewing	Feb. 3 . .	On second reading.
178	Jan. 26 . .	A bill for an act regulating the admission of visitors to the Hospitals for the Insane, and declaring an emergency . .	Gilman	Feb. 4 . .	Indefinitely postponed.
179	Jan. 26 . .	A bill for an act to amend an act providing for the incorporation of street railroad companies, being section 4147 of the Revised Statutes	Hudson	Mar. 2 . .	Signed by the Governor.
180	Jan. 26 . .	A bill for an act providing for the disposition of surplus moneys in the hands of County Treasurers, which has been assessed and collected for the construction of free gravel roads, and declaring an emergency	Shockney	Feb. 4 . .	Passed and referred to House.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
181	Jan. 26 . .	A bill for an act providing for the examination, removal, and committal of insane convicts	Shockney	Feb. 18 . .	Indefinitely postponed.
182	Jan. 26 . .	A bill for an act to protect domestic animals, to regulate matters connected therewith, to provide for the taxing and registration of dogs, and providing penalty for violation thereof, etc . . .	Smith.	Mar. 5 . .	Signed by the Governor.
183	Jan. 26 . .	A bill for an act concerning free turnpikes and toll turnpikes purchased, running through lands platted into city and town lots, etc	Boyd	Feb. 14 . .	Indefinitely postponed.
184	Jan. 26 . .	A bill for an act to legalize conveyances made by trustees, holding for the benefit of creditors	Ewing	Feb. 24 . .	On third reading.
185	Jan. 28 . .	A bill for an act to amend an act regulating decedents' estates, and the apportionment of estates, being sections 2485 and 2488 of the R. S., 1881	Burke.	Mar. 4 . .	Signed by the Governor.

186	Jan. 28 . .	A bill for an act to amend section 12 of an act to regulate and license the sale of intoxicating liquors, etc. Approved March 17, 1885	Burke	Feb. 18 . .	Passed and referred to House.
187	Jan. 28 . .	A bill for an act to amend section 7 of an act to provide for the appointment and compensation of a custodian of public buildings and State House engineer. Approved March 5, 1889	Boyd	Jan. 28 . .	Referred to Committee on Public Buildings.
188	Jan. 28 . .	A bill for an act to legalize acts of the Boards of Trustees and officers of the town of Fisher Station, Hamilton County, Indiana	Boyd	Feb. 27 . .	Signed by the Governor.
189	Jan. 28 . .	A bill for an act to divide the State of Indiana into Congressional districts, and repealing all laws in conflict therewith	Byrd	Mar. 6 . .	Passed over the Governor's veto.
190	Jan. 28 . .	A bill for an act to fix the number of Senators and Representatives and to apportion the same among the several counties	Byrd	Jan. 28 . .	Referred to Committee on Legislative Apportionment.
191	Jan. 28 . .	A bill for an act authorizing the Board of Trustees of the Institution for the Deaf and Dumb to convey certain lands now in use by the institution, and providing for the disposition of the proceeds of such sale	Chandler, by request.	Mar. 5 . .	Signed by the Governor.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
192	Jan. 28 . .	A bill for an act concerning street railways and the use of electricity as a motive power thereon.	Hayden.	Mar 3 . .	Signed by the Governor.
193	Jan. 28 . .	A bill for an act concerning public offenses and the exercise of police powers by the persons designated therein	Hayden	Jan. 30 . .	Indefinitely postponed.
194	Jan. 28 . .	A bill for an act to authorize the appointment of a Commissioner of savings banks and loan and trust companies .	Hubbell, by request	Feb. 21 . .	Indefinitely postponed.
195	Jan. 28 . .	A bill for an act for the relief of Sarah May	Hudson	Feb. 26 . .	Failed to pass.
196	Jan. 28 . .	A bill for an act to fix and define effect of acts amending or changing existing statutes	Kopelke.	Feb. 24 . .	Indefinitely postponed.
197	Jan. 28 . .	A bill for an act to prevent and punish fraud in sale of goods by itinerant vendors and provide for city license .	Magee.	Feb. 24 . .	Passed and referred to House.

198	Jan. 28 . .	A bill for an act to amend section 1 of an act to amend section 209 of an act concerning public offenses, etc	Magee	Feb. 14 . .	Indefinitely postponed.
199	Jan. 28 . .	A bill for an act to amend section 2201 of the Revised Statutes	Mount	Jan. 30 . .	Indefinitely postponed.
200	Jan. 28 . .	A bill for an act to amend section 6094 of the Revised Statutes	Thompson, of Marion	Jan. 28 . .	Referred to Committee on Judiciary.
201	Jan. 29 . .	A bill for an act to establish certain provisions respecting private corporations existing at or before the 1st day of November, 1850	Byrd	Mar. 2 . .	Signed by the Governor.
202	Jan. 29 . .	A bill for an act supplemental to section 6339 of the Revised Statutes	Shank	Jan. 30 . .	Indefinitely postponed.
203	Jan. 29 . .	A bill for an act for the protection of birds, their nests and eggs	Holland	Mar. 5 . .	Signed by the Governor.
204	Jan. 29 . .	A bill for an act appropriating money for the claim of Warren Shafer for work done on Mississippi street	Foley	Feb. 19 . .	Indefinitely postponed and House Bill No. 386 substituted.
205	Jan. 29 . .	A bill for an act for the relief of the Supreme Court, providing for the appointment and compensation of amanuenses to the judges thereof	Burke	Feb. 6 . .	On third reading.
206	Jan. 30	A bill for an act to amend Sec. 202 of an act concerning public offenses. Approved April 14, 1881.	Ellison	Mar. 9 . .	Signed by the Governor.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
207	Jan. 30 . .	A bill for an act for the amicable adjustment of grievances between employers and employes and creating a State Board of Arbitration	Foley	Feb. 17 . .	Passed and referred to House.
208	Jan. 30 . .	A bill for an act defining the Fifth and Seventh Judicial circuits and fixing the time and length of holding courts, etc.	Griffiths	Feb. 4 . .	Signed by the Governor.
209	Jan. 30 . .	A bill for an act prescribing the service of process against insurance companies.	Grimes	Feb. 11 . .	Indefinitely postponed.
210	Jan. 30 . .	A bill for an act concerning the fixing of salaries and defining duties of County Commissioners, Prosecuting Attorneys, and making Prosecuting Attorney, County Attorneys, etc.	Hanley	Feb. 6 . .	Indefinitely postponed.
211	Jan. 30 . .	A bill for an act defining the Third Judicial circuit.	Holcomb.	Feb. 14 . .	Second reading.
212	Jan. 30 . .	A bill for an act to abolish the office of Water Works Trustees in cities and towns of less than 5,000	Jones	Mar. 3 . .	Signed by the Governor.

213	Jan. 30 . . .	A bill for an act to amend section 3019 of the Revised Statutes	McGregor	Mar. 7 . .	Signed by the Governor.
214	Jan. 30 . . .	A bill for an act to amend section 3727 of chapter 32, of the Revised Statutes. .	McHugh	Feb. 18 . .	Indefinitely postponed.
215	Jan. 30 . . .	A bill for an act relating to actions for libel	McHugh	Feb. 18 . .	Indefinitely postponed.
216	Jan. 30 . . .	A bill for an act to amend section 3161 of the Revised Statutes	Smith	Feb. 21 . .	Signed by the Governor.
217	Jan. 30 . . .	A bill for an act for the encouragement of the breeding of pacing and trotting horses and for the prevention and punishment of fraudulent entries and practices in speed contests	Ewing	Mar. 4 . .	Signed by the Governor.
218	Feb. 2 . . .	A bill for an act providing for liens on real estate for labor or material for improvement thereof, prescribing Recorder's fees in connection therewith, and repealing conflicting laws	Gilman	Mar. 5 . .	Passed and referred to House.
219	Feb. 2 . . .	A bill for an act to authorize cities and towns to license pawn brokers	Hayden	Mar. 9 . .	Signed by the Governor.
220	Feb. 2 . . .	A bill for an act to apportion the State of Indiana into Congressional districts .	Hays	Feb. 2 . .	Referred to Committee on Congressional Apportionment.
221	Feb. 2 . . .	A bill for an act to amend an act concerning the construction of railway and highway bridges across streams and rivers forming boundary lines	Kerth	Feb. 3 . .	Referred to Committee on Judiciary.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
222	Feb. 2 . . .	A bill for an act to fix the number of Senators and Representatives in Indiana, and apportion the same. . . .	Loveland	Feb. 2 . .	Indefinitely postponed.
223	Feb. 2 . . .	A bill for an act prescribing the number of Trustees of the Indiana University and the manner of their election. . . .	McGregor	Mar. 3 . .	Signed by the Governor.
224	Feb. 2 . . .	A bill for an act to prevent deception in the manufacture and sale of dairy products	Mount	Feb. 2 . .	Referred to Committee on Agriculture.
225	Feb. 2 . . .	A bill for an act to amend section 2 of an act providing for the crossing of railroads	Griffith	Feb. 2 . .	Referred to Committee on Judiciary.
226	Feb. 2 . . .	A bill for an act providing for reports of births, deaths and marriages	Jackson	Feb. 21 . .	On second reading.
227	Feb. 3 . . .	A bill for an act concerning jurisdiction of Justices of the Peace, Circuit and Criminal Courts, and the Judges thereof when said Courts are not in session to investigate criminal offenses, etc	Shockney	Feb. 6 . .	Indefinitely postponed.

228	Feb. 3 . .	A bill for an act to amend Sec. 2000 of the Revised Statutes concerning Sabbath-breaking.	Yaryan	Feb. 24 . .	On third reading.
229	Feb. 3 . .	A bill for an act to encourage life-time convicts, girls and women in reform-schools, and providing that thirty years shall constitute a life-time sentence in the State Prisons	Hobson	Mar. 4 . .	Indefinitely postponed.
230	Feb. 3 . .	A bill for an act to amend Sec. 2227 of the Revised Statutes	Boyd	Feb. 18 . .	Indefinitely postponed.
231	Feb. 3 . .	A bill for an act to authorize the incorporation of title abstract, title insurance, trust, agency, loan and collection companies.	Burke (by request)	Feb. 18 . .	On second reading.
232	Feb. 3 . .	A bill for an act providing that wives may be appointed guardians for their insane husbands	Caster.	Feb. 6 . .	Indefinitely postponed.
233	Feb. 3 . .	A bill for an act to amend section 3 of an act entitled an act concerning drainage, approved April 6, 1885	Clemans.	Mar. 9 . .	Indefinitely postponed.
234	Feb. 3 . .	A bill for an act to amend section 61 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities and to provide for the incorporation of cities." . . .	Ellison	Feb. 14 . .	Second reading.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
235	Feb. 3 . .	A bill for an act concerning live stock insurance companies, and prescribing powers and duties	Ewing	Mar. 9 . .	Signed by the Governor.
236	Feb. 3 . .	A bill for an act to amend section 6466 of R. S. concerning taxation	Ewing	Feb. 6 . .	Referred to Committee on Finance.
237	Feb. 3 . .	A bill for an act to divide the State of Indiana into congressional districts . .	Foley	Feb. 3 . .	Referred to Committee on Congressional Apportionment.
238	Feb. 3 . .	A bill for an act concerning the assessment of property for taxation	Foley	Feb. 24 . .	On third reading.
239	Feb. 3 . .	A bill for an act concerning taxation . .	Foley	Feb. 3 . .	Referred to Committee on Fees and Salaries.
240	Feb. 3 . .	A bill for an act for the relief of David McWilliams	French	Mar. 7 . .	Signed by the Governor.
241	Feb. 3 . .	A bill for an act to amend section 1386, 1387 and 1389 of the Revised Statutes concerning Grand and Petit Jurors .	French	Feb. 11 . .	On second reading.
242	Feb. 3 . .	A bill for an act to amend sections 4293 and 4300 of the Revised Statutes . . .	Griffith	Feb. 14 . .	On second reading.

243	Feb. 3. . .	A bill for the relief of James Anderson, former treasurer of Warren County . .	Hanley	Feb. 27 . .	Signed by the Governor.
244	Feb. 3. . .	A bill for an act to authorize cities and towns to issue bonds for the purpose of funding their indebtedness, etc. . . .	Harlan	Mar. 2 . .	Passed and referred to House.
245	Feb. 3. . .	A bill for an act for the appointment of a Natural Gas Inspector, and regulating the use of natural gas . . .	Hayden	Feb. 3 . .	Referred to Committee on Natural Gas.
246	Feb. 3 . .	A bill to regulate the descent of personal property in certain cases	Hays	Mar. 9 . .	Signed by the Governor.
247	Feb. 3 . .	A bill for an act concerning school fund mortgages	Hays (by request.)	Feb. 24 . .	On third reading.
248	Feb. 3 . .	A bill for an act to regulate teaming and hauling on turnpikes and gravel roads.	Jackson	Feb. 20 . .	Passed and referred to House.
249	Feb. 3 . .	A bill for an act to amend an act providing for the taxation of building and loan associations.	Kennedy	Feb. 26 . .	Laid on the table.
250	Feb. 3 . .	A bill for an act to amend an act concerning vestrymen and church wardens, approved March 1, 1881	Kopelke	Mar. 5 . .	Signed by the Governor.
251	Feb. 3 . .	A bill for an act to amend certain sections concerning the election of the Reporter of the Supreme Court	Lynn	Feb. 3 . .	Referred to Committee on Judiciary.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
252	Feb. 3 . .	A bill for an act to amend section 6343 of the Revised Statutes concerning taxation	McGregor	Feb. 26 . .	Laid on the table.
253	Feb. 3 . .	A bill for an act to amend section 660, 661 and 662 of the Revised Statutes, concerning proceedings in certain cases . .	McGregor	Feb. 3 . .	Referred to Committee on Judiciary.
254	Feb. 3 . .	A bill for an act providing for the hearings in cases of sales of real estate now pending under section 2339 of the Revised Statutes	McHugh	Feb. 24 . .	On third reading.
255	Feb. 3 . .	A bill for an act to amend an act concerning the study of agricultural studies, and defining the duties of the Trustees of Purdue University.	McClugh	Feb. 24 . .	On third reading.
256	Feb. 3 . .	A bill for an act to amend section 2 of an act authorizing Protestant Episcopal Church to raise funds for the support of the bishops	Kopelke	Mar. 9 . .	Signed by the Governor.
257	Feb. 3 . .	A bill for an act to amend sections 15 and 19, concerning voluntary assignments for the benefit of creditors.	Fulk	Feb. 17 . .	Indefinitely postponed.

258	Feb. 5 . .	A bill for an act concerning taxation . .	Howard	Feb. 21 . .	On second reading.
259	Feb. 5 . .	A bill for an act to confer upon women the right to vote at municipal elections	Hubbell	Feb. 11 . .	On second reading.
260	Feb. 5 . .	A bill for an act to amend section 6240 of the Revised Statutes concerning the punishment of women and girls convicted of misdemeanors	Yaryan	Mar. 6 . .	Passed and referred to House.
261	Feb. 6 . .	A bill for an act to regulate the loaning of money in this State, on real estate, by corporations, and providing for the appointment of loan agents	Akin	Feb. 14 . .	On second reading.
262	Feb. 6 . .	A bill for an act to provide for payment of the unpaid Senate warrants . . .	Burke	Feb. 6 . .	Referred to Committee on Claims.
263	Feb. 6 . .	A bill for an act to authorize the issuing of executions in certain cases . . .	Ewing	Feb. 11 . .	Indefinitely postponed.
264	Feb. 6 . .	A bill for an act to require the recording of wills in the Recorder's office in certain cases	Ewing	Feb. 18 . .	On second reading.
265	Feb. 6 . .	A bill for an act to amend section 9 of an act to regulate the sale of intoxicating liquors, etc	Griffith	Feb. 21 . .	Indefinitely postponed.
266	Feb. 6 . .	A bill for an act to regulate the practice of pharmacy and the sale of poisonous drugs, etc	Griffith	Feb. 19 . .	On second reading.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
267	Feb. 6 . .	A bill for an act to amend an act concerning interest and usury.	Grose	Feb. 26 . .	On third reading.
268	Feb. 6 . .	A bill for an act concerning pardons, commutations and sentences of prisoners	Harlan	Feb. 14 . .	On second reading.
269	Feb. 6 . .	A bill for an act concerning Circuit Judges	Howard, by request	Feb. 13 . .	Withdrawn by order of the Senate.
270	Feb. 6 . .	A bill for an act concerning Circuit Court practice.	Howard, by request	Feb. 18 . .	On third reading
271	Feb. 6 . .	A bill for an act supplemental to the acts concerning the organization of manufacturing and mining companies	Kopelke	Mar. 9 . .	
272	Feb. 6 . .	A bill for an act concerning the election of county officers and defining who may not be eligible thereto	Loveland, by request	Feb. 11 . .	Indefinitely postponed.
273	Feb. 6 . .	A bill for an act to amend Sec. 3160 of the Revised Statutes	McHugh	Feb. 18 . .	On second reading.
274	Feb. 6 . .	A bill for an act concerning mining, pipping and transporting of natural gas	Magee	Feb. 11 . .	Indefinitely postponed.

275	Feb. 6 . .	A bill for an act concerning the employment of officers and persons in the employ of the benevolent institutions in this State	Magee	Feb. 19 . .	Failed to pass.
276	Feb. 6 . .	A bill for an act fixing the number of Representatives to the General Assembly and apportioning the same among the several counties.	Moore.	Feb. 6 . .	Referred to Committee on Legislative Apportionment.
277	Feb. 6 . .	A bill for an act to amend Sec. 1449 of the Revised Statutes	Moore (by request)	Feb. 14 . .	Indefinitely postponed
278	Feb. 6 . .	A bill for an act to amend section 1031 of the Revised Statutes	Moore, by request.	Feb. 24 . .	On third reading.
279	Feb. 6 . .	A bill for an act to amend section 5 of an act approved March 9, 1889, concerning Mechanic's Liens	Shockney	Feb. 19 . .	Passed and referred to House.
280	Feb. 6 . .	A bill for an act authorizing the purchase of toll roads by counties	Sweeney	Feb. 21 . .	Indefinitely postponed.
281	Feb. 6 . .	A bill for an act to prohibit emptying of privy vaults into rivers and streams .	McGregor	Feb. 14 . .	Indefinitely postponed.
282	Feb. 9 . .	A bill for an act to amend section 26, the same being section 5985 of the Revised Statutes of 1881, concerning fees and salaries and duties of officers, etc . .	Ewing, by request.	Feb. 9 . .	Referred to Committee on Fees and Salaries.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
283	Feb. 9 . .	A bill for an act to amend section 3, the same being section 5985 of the Revised Statutes, of 1881, concerning constables. . . . .	. . . . .	Feb. 9 . .	Referred to Committee on Fees and Salaries.
284	Feb. 9 . .	A bill for an act to require building, loan and saving associations to file semi-annual statements, providing for examinations, etc.	Francis	Feb. 18 . .	Failed to pass for want of constitutional majority.
285	Feb. 9 . .	A bill for an act to amend section 9 of an act concerning the general system of common schools, etc., approved March 8, 1873, the same being section 4520 of the Revised Statutes of 1881, as amended under an act approved March 2, 1889	Grimes	Feb. 14 . .	On second reading.
286	Feb. 9 . .	A bill for an act abolishing the office of State Librarian, etc.	Hays	Feb. 11 . .	Laid on the table.
287	Feb. 9 . .	A bill for an act to amend section 243 of an act concerning public offenses and their punishment, the same being section 2155 of the Revised Statutes	Holland	Mar. 5 . .	Signed by the Governor.

288	Feb. 9	A bill for an act to amend section 76 of an act concerning public offenses and their punishment, being section 1979 of the Revised Statutes	Kopelke	Feb. 19	Passed and referred to House.
289	Feb. 9 . .	A bill for an act to amend section 135 of an act concerning decedents' estates	Shockney	Feb. 9	Referred to Committee on Judiciary.
290	Feb. 9 . .	A bill for an act to amend section 5905 of the Revised Statutes	Shockney (by request)	Feb. 14	Indefinitely postponed.
291	Feb. 9 . .	A bill for an act making specific appropriations to build sewers in the State Prison South, etc.	Smith.	Feb. 24	On third reading.
292	Feb. 9 . .	A bill for an act to establish Boards of Health in cities of 50,000 and over	Thompson of Marion	Feb. 23	Indefinitely postponed.
293	Feb. 9 . .	A bill for an act to fix the time for the commencement and expiration of County Auditors and Treasurers.	Thompson of Pulaski.	Feb. 14	Indefinitely postponed.
294	Feb. 9 . .	A bill for an act providing for the election of Township Trustees	Wiggs	Feb. 14	Indefinitely postponed.
295	Feb. 9 . .	A bill for an act to authorize cities to construct, purchase and own water works, natural and artificial gas plants	Harlan	Feb. 14	On second reading.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER	Author.	Date of Last Action.	CONDITION OF BILL.
296	Feb. 9 . .	A bill for an act to fix the salaries of the Wardens and Deputy Wardens of State prisons.	Akin	Feb. 27 . .	Signed by the Governor.
297	Feb. 9 . .	A bill for an act to establish a Board of Children's Guardians in townships having a population of 75,000 and over, defining powers, duties, etc . . .	Byrd	Mar. 8 . .	Signed by the Governor.
298	Feb. 9 . .	A bill for an act defining legal voters in school districts.	Foley	Mar. 4 . .	Laid on the table.
299	Feb. 10 . .	A bill for an act concerning highways. .	Griffith	Feb. 14 . .	On second reading.
300	Feb. 10 . .	A bill for an act concerning expert testimony	Yaryan	Feb. 26 . .	Laid on the table.
301	Feb. 10 . .	A bill for an act for the protection of physicians, surgeons, dentists, editors, authors, publishers, artists, architects, designers and engravers against speculative law suits.	Yaryan	Feb. 18 . .	Indefinitely postponed.

302	Feb. 10 . .	A bill for an act to amend an act concerning Boards of Children's Guardians in townships having a population of more than 75,000 inhabitants, and defining their powers and duties. . . .	Yaryan	Feb. 28 . .	Indefinitely postponed.
303	Feb. 10 . .	A bill for an act to create a State Board of Railroad and Corporation Commissioners, etc.	Shanks	Feb. 18 . .	Referred to Finance Committee.
304	Feb. 11 . .	A bill for an act concerning foreign live stock insurance companies doing business in this State, etc	Mount	Mar. 5 . .	Passed and referred to House.
305	Feb. 11 . .	A bill for an act creating a Board of Claims for the several townships of this State, and defining the duties of County Commissioners and Township Trustees in connection therewith. . . .	Kennedy	Feb. 14 . .	Indefinitely postponed.
306	Feb. 11 . .	A bill for an act requiring Clerks of cities and incorporated towns to file annual statements of receipts and disbursements.	Fulk	Mar. 7 . .	Passed and referred to House.
307	Feb. 11 . .	A bill for an act to authorize the formation of corporations for the purpose of laying pipe lines and transporting petroleum.	McHugh	Mar. 6 . .	Indefinitely postponed.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
308	Feb. 11 . .	A bill for an act to grant a right of way through the southwest quarter of the northeast quarter of section 7, township 15, range 4 east, Marion County, Indiana.	Foley	Feb. 19 . .	Indefinitely postponed.
309	Feb. 11 . .	A bill for an act to regulate the practice of pharmacy	French	Feb. 21 . .	On second reading.
310	Feb. 11 . .	A bill for an act appropriating \$2,010.16 to pay the claim of Augustus Bruner.	Hudson	Mar. 4 . .	Indefinitely postponed.
311	Feb. 11 . .	A bill for an act creating the office of County Attorney, defining duties, etc.	Hanley	Feb. 18 . .	Indefinitely postponed.
312	Feb. 11 . .	A bill for an act to amend an act entitled "An act concerning taxation"	Sweeney	Feb. 18 . .	On second reading.
313	Feb. 12 . .	A bill for an act to amend section one (1) of the Metropolitan Police Act so as to include cities of more than fifty thousand and less than one hundred thousand inhabitants	Kerth	Feb. 14 . .	On third reading.

314	Feb. 12 . .	A bill for an act establishing a non-partisan police and fire department in cities containing more than fifty thousand and less than one hundred thousand inhabitants	Kerth	Mar. 5 . .	Law by lapse of time.
315	Feb. 13 . .	A bill for an act to amend the fourth section of an act to regulate the sale of intoxicating liquors	Magee	Feb. 19 . .	Indefinitely postponed.
316	Feb. 14 . .	A bill for an act for the incorporation of savings banks, and providing for their management	Hubbell, by request	Feb. 21 . .	On second reading.
317	Feb. 14 . .	A bill for an act making appropriation to Edwin H. Ketcham	Foley	Feb. 14 . .	Referred to Committee on Claims.
318	Feb. 14 . .	A bill for an act to prohibit the use of stoves in railroad coaches	Foley	Feb. 26 . .	Indefinitely postponed.
319	Feb. 14 . .	A bill for an act to amend sections 1 and 3 of an act to establish State Boards of Charities	Sweeney	Feb. 17 . .	On second reading.
320	Feb. 14 . .	A bill for an act to amend section 3 of an act concerning the consolidation of stock of railroad companies in certain cases, and regulating route surveys, etc.	Burke	Feb. 26 . .	On third reading.
321	Feb. 14 . .	A bill for an act concerning taxation of personal property of wards, in the hands of guardians	Fulk	Feb. 18 . .	Indefinitely postponed.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.*	Author.	Date of Last Action	CONDITION OF BILL.
322	Feb. 14 . .	A bill for an act to amend section 4 of an act concerning gravel and macadamized roads.	Gilman	Mar. 7 . .	Passed and referred to House.
323	Feb. 14 . .	A bill for an act to enable Circuit Courts to change the time of commencing the terms of courts	Griffith	Feb. 18 . .	On second reading.
324	Feb. 14 . .	A bill for an act making an appropriation for the Indiana Institute for the Education of the Blind.	Griffith	Feb. 28 . .	Indefinitely postponed.
325	Feb. 14 . .	A bill for an act prohibiting insurance agents from soliciting business for companies not authorized to do business in this State	Grimes, by request.	Feb. 23 . .	On second reading.
326	Feb. 14 . .	A bill for an act prohibiting foreign insurance companies authorized to do business in this State, to place insurance on property in this State, in offices outside of the State, in violation of the tax laws	Grimes, by request.	Feb. 23 . .	On second reading.
327	Feb. 14 . .	A bill for an act for the relief of County Surveyors, etc.	Hays	Feb. 21 . .	On second reading.

328	Feb. 14 . .	A bill for an act to authorize Circuit Clerks to release ditch assessments . .	Hays	Feb. 21 . .	On second reading.
329	Feb. 14 . .	A bill for an act legalizing the incorporation of the town of Osgood, etc	Holland	Feb. 18 . .	Signed by Governor.
330	Feb. 14 . .	A bill for an act to regulate the industrial education of the pupils of the Institution for the Deaf and Dumb.	Howard	Mar. 9 . .	Signed by the Governor.
331	Feb. 14 . .	A bill for an act to subject private banks to State control.	Hubbell, by request	Feb. 21 . .	Second reading.
332	Feb. 14 . .	A bill for an act regulating the granting of franchises, licenses, etc., to corporations	Hudson	Feb. 19 . .	Indefinitely postponed.
333	Feb. 14 . .	A bill for an act for the relief of Rhoda Carson and legitimatizing her children	Griffith	Feb. 18 . .	Substitute ordered printed.
334	Feb. 14 . .	A bill for an act regulating the amount of bond to be given by executors or trustees	McHugh	Feb. 28 . .	Second reading.
335	Feb. 14 . .	A bill for an act for the protection of physicians, surgeons, dentists, editors, authors, publishers, artists, architects, designers and engravers against speculative lawsuits	Ewing	Feb. 18 . .	Indefinitely postponed.
336	Feb. 14 . .	A bill for an act concerning expert testimony	Ewing	Feb. 18 . .	Indefinitely postponed.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
337	Feb. 17	A bill for an act authorizing married women, whose husbands are insane, to convey their separate real estate	Ewing	Feb. 26 . .	On third reading.
338	Feb. 18	A bill for an act authorizing the Governor, Auditor of State and Treasurer of State to make a temporary loan of \$700,000 for the purpose of carrying on the State government	Magee	Mar. 9 . .	Signed by the Governor.
339	Feb. 18	A bill for an act authorizing the Auditor of State to sell certain lands in Rush County, purchased for the use of Fairview Academy	Chandler	Feb. 24 . .	Indefinitely postponed.
340	Feb. 18 . .	A bill for an act to define the qualifications of County School Superintendents and City School Superintendents.	Ellison	Feb. 27 . .	Passed and referred to House.
341	Feb. 18 . .	A bill for an act creating and defining the Eighth and Eighteenth Judicial Circuits	Ewing	Mar. 2 . .	Read second time.

342	Feb. 18 . .	A bill for an act providing for the appointment of Commissioners of the World's Fair and making an appropriation	Ewing	Mar. 9 . .	Signed by the Governor.
343	Feb. 18 . .	A bill for an act prohibiting railroad companies from collecting over charges on freight	French, by request.	Mar. 5	Passed and referred to House.
344	Feb. 18 . .	A bill for an act requiring railroad companies in this State to give notice at stations as to whether or not passenger trains are on schedule time	Fulk, by request .	Feb. 26 .	Indefinitely postponed.
345	Feb. 18 . .	A bill for an act requiring railroad companies to record deeds or other contracts in relation to their right of way	Fulk, by request .	Feb. 26 .	On third reading.
346	Feb. 18 . .	A bill for an act to give good time to life convicts, and prescribing the manner of discharging the same	Gilman . .	Mar. 4	Indefinitely postponed.
347	Feb. 18 . .	A bill for an act to amend an act concerning the general system of common schools and matters connected therewith	Gilman	Feb. 21 . .	Second reading.
348	Feb. 18 . .	A bill for an act to amend section 5749 of the Revised Statutes	Harlan	Feb. 18 . .	Referred to Committee on Judiciary.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER	Author.	Date of Last Action.	CONDITION OF BILL.
349	Feb. 18	A bill for an act in relation to the holding of certain terms of court in the 11th Judicial Circuit, and defining the duties of the Judge of the 49th Judicial Circuit in relation thereto.	Holcomb.	Mar. 9 . .	Signed by the Governor.
350	Feb. 18 . .	A bill for an act relative to the holding of terms of Court in the 11th Judicial Circuit, and defining the duties of the Judge of the 3d Judicial Circuit in relation thereto	Lynn	Mar. 7 . .	Signed by the Governor.
351	Feb. 18 . .	A bill for an act amending section 6 of an act concerning the powers and duties of cities and incorporated towns, etc., approved March 8, 1889, and being section 817 of Elliot's supplement 1889	Magee.	Mar. 6 . .	Passed and referred to the House.
352	Feb. 18 . .	A bill for an act prohibiting the sale of any State lands except with the permission of the General Assembly . .	Morgan	Feb. 18 . .	Referred to Committee on Agriculture.
353	Feb. 18 . .	A bill for an act to amend section 189 of an act concerning criminal procedure, the same being section 1764 of the Revised Statutes	Thompson, Pulaski	Feb. 28 . .	Laid on the table.

354	Feb. 18 . .	A bill for an act to repeal section 7 of an act concerning cruelty to animals . .	Yaryan	Feb. 26 . .	On third reading.
355	Feb. 18 . .	A bill for an act making an appropriation to pay William H. Drapier for Brevier Legislative reports of the proceedings of the 51st, 52d and 53d General Assemblies	Thomson, of Pulas- ki, by request . .	Feb. 24 . .	Referred to Committee on Claims.
356	Feb. 19 . .	A bill for an act to provide for the vacation of graveyards owned by Masonic Lodges or other benevolent societies .	Thomson, of Hunt- ington	Feb. 26 . .	On third reading.
357	Feb. 19 . .	A bill for an act to amend section (5) of an act amending the Militia Laws . .	Kennedy	Mar. 6 . .	Passed and referred to House.
358	Feb. 19 . .	A bill for an act for the encouragement of the industrial women and for their representation at the World's Fair . .	Thomson, of Pulas- ki	Mar. 2 . .	Indefinitely postponed.
359	Feb. 20 . .	A bill for an act to amend section one (1) of an act prescribing the duties of telegraph and telephone companies . .	Hubbell	Mar. 2 . .	Read third time.
360	Feb. 20 . .	A bill for an act concerning the purchase of gravel and macadamized roads in counties having a population of 65,000 and more, etc	Shanks	Feb. 21 . .	On second reading.
361	Feb. 20 . .	A bill for an act providing for the payment of certain moneys for the construction of the Soldiers' and Sailors' Monument, and making necessary appropriation	Grimes	Feb. 20 . .	Referred to Committee on Claims.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
362	Feb. 20	A bill for an act to amend sections 2, 4 and 6 of an act regulating the practice of medicine, etc	Yaryan	Mar. 4 . .	Indefinitely postponed.
363	Feb. 21	A bill for an act for the relief of Samuel Williams, ex-Trustee of New Garden Township, of Wayne County	Yaryan	Mar. 6 . .	Passed the House.
364	Feb. 21 . .	A bill for an act to enforce compulsory education, fixing penalties, etc., and preventing the employment at labor of children under 14 years	Yaryan	Feb. 1 . .	Referred to Committee on Education.
365	Feb. 21 . .	A bill for an act concerning the construction and repair of gravel and macadamized roads in counties containing a population of 65,000 . . .	Shanks	Feb. 26 . .	On second reading.
366	Feb. 21 . .	A bill for an act for a general system of road construction and improvement .	Shanks	Feb. 26	On second reading.

367	Feb. 24 . . .	A bill for an act to authorize County Commissioners upon petition of one-half in number or more of the owners of lands that have been assessed for construction of any ditch or drain to put in wires or gates in such ditch or drain	Hubbell	Feb. 26 . . .	On third reading.
368	Feb. 24 . . .	A bill for an act to protect citizens against "White Capism," and other unlawful acts.	Gilman	Feb. 26 . . .	Indefinitely postponed.
369	Feb. 24 . . .	A bill for an act to extend the laws now in force in relation to conveyances, so that they shall apply to boundary lines under ground in mines and quarries, and providing for surveys, etc.	Mount	Mar. 4 . . .	On third reading.
370	Feb. 24 . . .	A bill for an act to provide for the appointment of commissioners to prepare and report to the Legislature a bill to facilitate the transfer of lands, etc.	Loveland	Mar. 4 . . .	Indefinitely postponed.
371	Feb. 24 . . .	A bill for an act providing for the annexation of lands in an adjoining county to a town or city in another county for municipal purposes	Smith	Feb. 26 . . .	On third reading.
372	Feb. 24 . . .	A bill for an act for the relief of county treasurers, etc.	Shockney	Mar. 5 . . .	Signed by the Governor.

SENATE BILLS—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
373	Feb. 27 . .	A bill for an act to amend section 38 of an act concerning proceedings in civil cases, being section 293 of the Revised Statutes	Foley	Mar. 4 . .	Indefinitely postponed.
374	Feb. 27 . .	A bill for an act to amend section 213 of an act concerning proceedings in criminal cases, being section 1788 of the Revised Statutes	Thompson, of Pu- laski	Mar. 6 . .	Referred to House.
375	Feb. 27 . .	A bill for an act to authorize the consolidation of natural and artificial gas companies	Chandler	Mar. 4 . .	On third reading.
376	Mar. 5 . .	A bill for an act for the appointment of a Fee and Salary Commission, etc . . .	Loveland	Mar. 5 . .	Indefinitely postponed.
377	Mar. 5 . .	A bill for an act abolishing the Board of Trustees for the Eastern Indiana Hospital for the Insane, and creating a Board of Trustees, etc. . . . .	. . . . .	Mar. 6 . .	Passed over the Governor's veto.

378	Mar. 9 . .	A bill for an act for the government of the reformatory, penal and charitable institutions of the State	Kopelke	Mar. 9 . .	Referred to Committee on Benevolent Institutions.
379	Mar. 9 . .	A bill for an act to amend section 24 of an act fixing the fees of certain county officers	Kennedy	Mar. 9 . .	Referred to Committee on Fees and Salaries.

SENATE CONCURRENT RESOLUTIONS.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
1	Jan. 14 . .	For the appointment of a joint committee to inquire into the feasibility of manufacturing binding twine in one of the State prisons	Magee	Jan. 15 . .	Concurred in by House.
2	Jan. 14 . .	Requesting our Senators and Representatives in Congress to obtain an appropriation for the improvement of the Calumet River. . . . .	. . . . .	Jan. 19 . .	Referred to House.
3	Jan. 14 . .	A concurrent resolution instructing Senators and requesting Representatives to vote for and aid in speedy passage of House Bill No. 319.	Byrd	Jan. 15 . .	Concurred in by House.
4	Jan. 14 . .	A concurrent resolution accepting the Thomas A. Hendricks Monument.	Magee.	Jan. 15 . .	Referred to House.
5	Jan. 15 . .	A concurrent resolution to investigate the Eastern Hospital for Insane at Richmond.	Byrd	Jan. 15 . .	Adopted.
6	Jan. 16 . .	A concurrent resolution to appoint a non-partisan committee of four in the Senate and four in the House to investigate the Warden of the State Prison North.	Shockney	Jan. 16 . .	Subjeinted by Senate resolution.

7	Jan. 16 . .	A concurrent resolution that a committee of three Senators and four Representatives be appointed to investigate the State Treasurer	Magee.	Jan. 16 . .	Adopted.
8	Jan 19 . .	A concurrent resolution that our Senators be instructed and our Representatives in Congress be requested to use their efforts to secure the passage of a law affording protection against the Dressed Beef Trust and to vote for the repeal of the McKinley Bill, that by its passage has created trusts	Mount	Jan. 21 . .	Adopted and referred to the House.
9	Feb. 14 . .	A concurrent resolution of respect for the late Gen. W. T. Sherman . . . . .	. . . . .	Feb. 14 . .	Adopted.
10	Feb. 17 . .	A concurrent resolution requesting the city of Indianapolis to provide a park on Market street . . . . .	. . . . .	Feb. 17 . .	Adopted.
11	Feb. 26 . .	Concurrent resolution tendering the use of the State House to the Farmers' Benefit Association	Holcomb	Feb. 26 . .	Adopted.
12	Mar. 7 . .	A concurrent resolution authorizing Michael Cain to sell a freight elevator . . . . .	. . . . .	Mar. 7 . .	Adopted.
13	Mar. 9 . .	A concurrent resolution concerning Terre Haute & Indianapolis Railroad . . . . .	. . . . .	Mar. 9 . .	Adopted and referred to the House.

SENATE JOINT RESOLUTIONS.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
2	Jan. 13	A joint resolution of respect concerning the late Hon. Samuel J. Carpenter . .	Harlan	Jan. 13 . .	Adopted and sent to House.
3	Jan. — . .	A joint resolution instructing our Senators and requesting our Representatives in Congress to support a resolution proposing an amendment to the Constitution of the United States by which the election of United States Senator shall be by the people. . . .	Shockney	Jan. — . .	Referred to Committee on Judiciary.

HOUSE BILLS IN SENATE.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
1	Jan. 16 . .	A bill for an act appropriating \$105,000 to defray the expenses of the 57th session of the General Assembly . . .	Harrell	Jan. 19 . .	Passed and returned to House.
21	Jan. 13 . .	A bill for an act to legalize the sale of certain lands sold and conveyed by the commissioners of Fayette County . . .	Claypool	Jan. 13 . .	Signed by the Governor.
31	Jan. 14 . .	A bill for an act to legalize the incorporation of the town of Patoka	Bryant	Jan. 15 . .	Signed by the Governor.
118	Jan. 14 . .	A bill for an act legalizing acts of Board of Trustees of Troy, Perry County . .	Zoercher	Feb. 21 . .	Passed and returned to the House.
119	Jan. 14 . .	A bill for an act legalizing the incorporation of the town of Carpentersville .	Ader	Feb. 23 . .	Passed and referred to House.
124	Jan. 15 . .	A bill for an act to require the Auditor of State to make a deed and deliver to Luther H. Mott	Fippen	Jan. 15 . .	Passed and returned to House.
181	Jan. 16 . .	A bill for an act to legalize the acts of the several Boards of Trustees of the town of Fowler	Sleeper	Jan. 20 . .	Passed and returned to House.

HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
182	Jan. 15 . .	A bill for an act to legalize the incorporation of the town of Knightstown . .	Claypool	Jan. 16 . .	Passed and returned to House.
215	Jan. 16 . .	A bill for an act to legalize the incorporation of the town of Hammond . . .	Ebert	Jan. 16 . .	Passed and returned to House.
251	Jan. 20 . .	A bill for an act to legalize the incorporation of the town of Leavenworth . . .	Trimble	Jan. 28 . .	Reported back, recommending its passage.
278	Jan. 20 . .	A bill for an act to legalize the acts of Notaries Public	Kester	Feb. 3 . .	Reported back with amendments.
12	Jan. 29 . .	A bill for an act authorizing Boards of County Commissioners to appoint justices of the peace in certain cases . . .	Work	Feb. 24 . .	Passed and returned to House, with amendments.
25	Jan. 29 . .	A bill for an act to regulate the holding of Courts in the Fifty-Second Circuit, etc.	Leyden	Jan. 30 . .	Passed and returned to House.
67	Jan. 29 . .	A bill for an act concerning public offenses and their punishment, etc.	Brown, of Steuben	Mar. 6 . .	Passed and referred to House.
86	Jan. 29 . .	A bill for an act concerning the filling of the offices of Mayor, Clerk or Councilman in incorporated cities, etc.	Voigt	Feb. 23 . .	Passed and returned to House.

87	Jan. 29 . .	A bill for an act to legalize acts of Notaries Public, etc.	Voigt.	Feb. 6	Reported back, recommending its passage.
103	Jan. 30 . .	A bill for an act to amend section 16 of an act concerning real property, being section 2931 of the Revised Statutes .	Harrell	Feb. 11 . .	Ordered printed.
172	Jan. 29 . .	A bill for an act to cede to the United States jurisdiction over the lands of a national cemetery, etc	Leyden	Feb. 14 . .	Reported back recommending its passage.
217	Jan. 30 . .	A bill for an act to regulate and license pawn-brokers, etc	Lindemuth	Feb. 6 . .	Reported back, recommending its passage.
226	Jan. 29 . .	A bill for an act to legalize the incorporation of the town of Clifford, Bartholomew County.	Gent	Feb. 19 . .	Passed and referred to House.
260	Jan. 30 . .	A bill for an act creating the office of State Supervisor of Oil Inspection, etc	Moon	Feb. 26 . .	Passed over Governor's veto.
288	Jan. 30 . .	A bill for an act concerning the House of Refuge, etc	Short	Feb. 4 . .	Reported back, recommending its passage.
397	Jan. 30 . .	A bill for an act to legalize the acts of the Board of Trustees of the town of Saltilloville, Washington County.	Patton	Mar. 4 . .	Passed and returned to House.
2	Feb. 6 . .	A bill for an act to amend section 80 of an act entitled an act concerning public officers, etc	Erwin,	Mar. 2 . .	Indefinitely postponed.

HOUSE BILLS IN SENATE--Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
29	Feb. 6 . .	A bill for an act concerning the obstruction of ditches or drains, etc	Moon	Feb. 23 . .	Returned to House; passed.
55	Feb. 3 . .	A bill for an act regulating the indebtedness of counties, etc	Zoercher	Feb. 24 . .	Passed and referred to House.
62	Feb. 6 . .	A bill for an act to prevent any person from unlawfully wearing the badges of the G. A. R., etc	Faulkner	Feb. 23 . .	Passed and returned to House.
70	Feb. 6 . .	A bill for an act concerning Deputy County Surveyors, etc.	Fippen	Feb. 23 . .	Passed and returned to House.
88	Feb. 3 . .	A bill for an act concerning public offenses, etc	Short	Mar. 6 . .	Passed and returned to House.
111	Feb. 6 . .	A bill for an act concerning the taxation of lands and other property within the limits of cities and towns.	Fowler	Mar. 5 . .	Passed and returned to House.

152	Feb. 3 . .	A bill for an act for the protection of the sorghum industry, etc.	Morris, of Henry.	Mar. 7 . .	Passed and referred to House.
164	Feb. 6 . .	A bill for an act providing for the payment of \$66.95 to Jacob Covert for expenses incurred by him in investigating the question of convict labor, etc. .	Nolan.	Feb. 26 . .	Read second time.
166	Feb. 6 . .	A bill for an act fixing the number of the Trustees of Purdue University, etc. . .	Haggard	Feb. 23 . .	Returned to House passed.
173	Feb. 3 . .	A bill for an act to prevent the adulteration of candy and sale of, etc.	Curtis.	Mar. 3 . .	Indefinitely postponed.
187	Feb. 3 . .	A bill for an act appropriating twenty-one hundred and twelve dollars to pay claim of Fred. Lackman, etc.	Mack	Mar. 5 . .	Passed and referred to House.
188	Feb. 3 . .	A bill for an act appropriating fifteen hundred and seventy-five dollars and seventy cents to pay the claim of Lackman & Scherrer, etc.	Mack	Mar. 5 . .	Passed and returned to House.
254	Feb. 3 . .	A bill for an act concerning the cutting of hedge and other fences, etc.	Sleeper	Feb. 23 . .	Passed and returned to House.
268	Feb. 6 . .	A bill for an act regulating the sale of cigarettes, etc.	Thienes	Feb. 23 . .	Indefinitely postponed.

HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
289	Feb. 6 . .	A bill for an act defining who are persons of unsound mind, etc.	Gleener.	Feb. 11 . .	Indefinitely postponed.
296	Feb. 3 . .	A bill for an act concerning the purchase of native live stock for food consumption for reformatory, charitable and benevolent institutions, etc.	Claypool	Mar. 4 . .	Indefinitely postponed.
305	Feb. 6 . .	A bill for an act concerning proceeding in civil cases, etc.	Morris, of Henry.	Feb. 11 . .	Majority and Minority Reports.
309	Feb. 6 . .	A bill for an act to provide for change of venue in all civil actions, etc.	Johnson, of Carroll	Feb. 23 . .	Passed and returned to House.
326	Feb. 6 . .	A bill for an act concerning the officers of all State institutions, etc.	Beasley	Mar. 6 . .	Passed and returned to House.
344	Feb. 3 . .	A bill for an act concerning the Eleventh Judicial Circuit, etc.	Heathman	Mar. 6 . .	Passed and referred to House.
362	Feb. 3 . .	A bill for an act providing for the settlement and distribution of decedents' estates	Oppenheim	Feb. 3 . .	Passed and returned to House.

396	Feb. 6 . .	A bill for an act appropriating money for the claim of the Warren-Scharf Asphalt Paving Co., on account of roadway of Mississippi street, in city of Indianapolis.	Curtis	Feb. 19 . .	Passed and returned to House.
13	Feb. 14 . .	A bill for an act regulating the weighing of coal, uniformity of screens, etc	Carroll	Feb. 27 . .	Returned to House, passed.
552	Feb. 14 . .	A bill for an act to legalize the incorporation of the town of Scottsburg, Scott County.	Callicutt	Mar. 4 . .	Passed and referred to House.
69	Feb. 14 . .	A bill for an act to prevent dealing in margins or options in grain, etc	Beasley	Feb. 26 . .	Read second time.
409	Feb. 14 . .	A bill for an act concerning the shooting of ducks, etc.	Bernethy	Feb. 23 . .	Read second time.
312	Feb. 14 . .	A bill for an act concerning public offenses and their punishment, etc	Cullop	Feb. 18 . .	Reported back with amendments.
22	Feb. 14 . .	A bill for an act for the securing of better wages to workmen, laborers, etc	Kelley	Feb. 28 . .	Failed.
8	Feb. 14 . .	A bill for an act regulating the rate of tolls.	Watson	Mar. 5 . .	Failed to pass.
5	Feb. 14 . .	A bill for an act providing for the punishment of persons in possession of stolen personal property, etc	Hench	Mar. 2 . .	Indefinitely postponed.

HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
184	Feb. 14 . .	A bill for an act concerning the voluntary assignments of personal and real property for the benefit of creditors, etc .	Curtis	Mar. 5 . .	Passed and referred to House.
454	Feb. 10 . .	A bill for an act regulating the liability of railroads and other corporations, except municipal, for personal injuries to persons employed by them. .	Ioman	Mar. 4 . .	Passed and referred to House.
44	Feb. 16 . .	A bill for an act concerning the incorporation and government of cities having more than one hundred thousand population, etc.	McCullough . . .	Mar. 3 . .	Passed with amendments.
269	Feb. 16 . .	A bill for an act concerning the Boards of School Commissioners in all cities in which such boards exist, etc	Mack	Feb. 23 . .	Passed and returned to House.
270	Feb. 16 . .	A bill for an act concerning the common school system, etc.	Mack	Feb. 24 . .	Passed and returned to House.
607	Feb. 19 . .	A bill for an act to legalize the incorporation of the town of Greenville, Floyd County	Leyden	Feb. 19 . .	Passed and referred to House.

568	Feb. 20 . .	A bill for an act concerning text-books for use in the common schools	Beasley	Mar. 4 . .	Passed and referred to House.
95	Feb. 20 . .	A bill for an act regulating the heating of passenger, baggage and mail cars in this State, etc	Carroll	Feb. 20 . .	Referred to Committee on Judiciary.
74	Feb. 20 . .	A bill for an act concerning the Southern Indiana Hospital for the Insane	Nolan	Mar. 2 . .	Passed and referred to House.
498	Feb. 20 . .	A bill for an act to enable the Madison County Agricultural Society to sell certain property	Fowler	Mar. 5 . .	Passed and referred to House.
42	Feb. 20 . .	A bill for an act providing for the filing of labels, trade marks, brands, etc . .	Thienes	Mar. 5 . .	Passed and referred to House.
519	Feb. 20 . .	A bill for an act concerning the organization and perpetuity of voluntary associations	Nolan	Mar. 9 . .	Passed and referred to House.
356	Feb. 20 . .	A bill for an act authorizing the sale of certain lands, etc.	Zoercher	Mar. 2 . .	Passed and referred to House.
495	Feb. 20 . .	A bill for an act concerning the organization and perpetuity of voluntary associations, etc	Claypool	Mar. 7 . .	Passed and referred to House.
253	Feb. 20 . .	A bill for an act to amend section 1895 of the R. S. of 1881	Hench	Feb. 26 . .	Read second time.

HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
138	Feb. 20 . .	A bill for an act authorizing the County Commissioners of any county to levy additional assessments	Carroll	Feb. 26 . .	Failed to pass.
24	Feb. 20 . .	A bill for an act to amend all general laws now in force for the incorporation of cities, etc	Leyden	Mar. 6 . .	Passed and referred to House.
560	Feb. 20 . .	A bill for an act concerning the operation of water works, natural and artificial gas plants and electric light plants, etc.	Fippen	Feb. 20 . .	Reconsidered by the House and returned, February 21.
355	Feb. 20 . .	A bill for an act for the relief of Perry County, making appropriation therefor, etc	Zoercher	Feb. 28 . .	Passed and referred to House.
229	Feb. 20 . .	A bill for an act concerning enclosures, trespassing animals, and partition fences, etc	Work	Mar. 7 . .	Passed and returned to House.
336	Feb. 20 . .	A bill for an act relating to decedents' estates, etc	Fippen	Mar. 7 . .	Passed and returned to House.
252	Feb. 20 . .	A bill for an act concerning liens of mechanics, laborers, etc	Thienes	Feb. 28 . .	Passed and referred to House.

539	Feb. 20 . .	A bill for an act to provide for the incorporation of street railroad companies, etc	Curtis	Feb. 26 . .	Laid on table.
302	Feb. 20 . .	A bill for an act to encourage agriculture, manufacture of artificial dairy products, providing for brands, etc	Patton	Mar. 4 . .	Indefinitely postponed.
570	Feb. 20 . .	A bill for an act to establish a Board of Public Works in all cities of more than fifty thousand and less than one hundred thousand	Nolan	Mar. 5 . .	Passed and returned to House.
45	Feb. 20 . .	A bill for an act providing that all cities having one hundred thousand inhabitants may build natural gas works, etc	McCullough	Feb. 20 . .	Referred to Committee on Affairs of the City of Indianapolis.
133	Feb. 20 . .	A bill for an act to provide a remedy for attempted taxation of Indian lands, etc	Hench.	Feb. 26 . .	Indefinitely postponed.
343	Feb. 20 . .	A bill for an act concerning the incorporation of High Schools	Beigler	Mar. 4 . .	Passed and returned to House.
136	Feb. 20 . .	A bill for an act to establish a uniform system of weighing coal at the mines, etc	Moss	Feb. 23 . .	Indefinitely postponed.
486	Feb. 20 . .	A bill for an act for the relief of John W. White, late Treasurer of Clay County	Moss	Feb. 25 . .	Passed and returned to House.

HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
332	Feb. 20 . .	A bill for an act to establish the office of Natural Gas Supervisor, etc.	Glesner.	Mar. 9 . .	Passed over (governor's veto.
431	Feb. 20 . .	A bill for an act to authorize the organization and incorporation of loan and trust and safe deposit companies, etc .	Leyden	Feb. 26 . .	Read second time.
176	Feb. 20 . .	A bill for an act authorizing counties, cities and other municipal corporations to fund their indebtedness.	Branstetter . . .	Feb. 26 . .	Read second time.
339	Feb. 20 . .	A bill for an act requiring unexpended taxes collected to build gravel roads to be returned to tax-payers	Stone	Feb. 26 . .	Reported back, recommending passage without printing.
399	Feb. 20 . .	A bill for an act concerning Township Trustees of several counties of the State, etc.	Peters.	Mar. 4 . .	Indefinitely postponed.
238	Feb. 20 . .	A bill for an act for the care and custody of the battle flags of Indiana, etc. . .	Robbins	Mar. 4 . .	Passed and referred to House.
394	Feb. 20 . .	A bill for an act concerning jury trials, etc.	Callop	Mar. 9 . .	Passed and referred to House.

244	Feb. 20 . .	A bill for an act regulating the practice of medicine, etc	Bramtetter . . .	Mar. 7 . .	Passed and returned to House.
281	Feb. 20 . .	A bill for an act concerning the Superior, Circuit and Criminal Courts, etc. . . .	Hench	Feb. 20 . .	Reported back recommending its passage.
66	Feb. 24. . .	A bill for an act concerning drainage and prescribing powers and duties of County Commissioners, etc.	Brown, of Steuben	Mar. 4 . .	Passed and returned to House.
624	Feb. 24 . .	A bill for an act to authorize the State Auditor to sell certain lands in Rush County	Claypool	Feb. 25 . .	Passed and returned to House.
487	Feb. 25 . .	A bill for an act to amend section 144 of an act concerning taxation.	Oppenheim . . .	Feb. 26 . .	Passed and referred to House.
121	Feb. 25 . .	A bill for an act requiring railroad companies to maintain suitable depots at all railroad stations, etc	Stone	Mar. 7 . .	Failed to pass.
440	Feb. 25 . .	A bill for an act to fix the number of Representatives and Senators to the General Assembly	Curtis	Mar. 4 . .	Passed over Governor's veto.
620	Feb. 25 . .	A bill for an act providing for the relocation of county seats	Callicutt	Mar. 4 . .	Indefinitely postponed.
640	Feb. 25 . .	A bill for an act to authorize the Common Council of Tell City to sell certain grounds to the Board of County Commissioners	Zoercher.	Feb. 25 . .	Referred to Committee on Corporations.

HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
484	Feb. 25 . .	A bill for an act concerning the selling of bonds by Board of County Commissioners, etc.	Harrell	Mar. 4 . .	Passed and referred to House.
186	Feb. 26 . .	A bill for an act concerning bank officers, etc	Robbins	Mar. 6 . .	Passed and returned to House.
125	Feb. 26 . .	A bill for an act fixing the salaries of County Commissioners, Township Assessor and Trustee	Nolan	Mar. 6 . .	Passed and returned to House.
391	Feb. 26 . .	A bill for an act concerning the Fourth Judicial Circuit, etc	Voigt	Feb. 27 . .	Passed and returned to House.
274	Feb. 26 . .	A bill for an act concerning gas mixers, etc	Fowler	Mar. 6 . .	Passed and returned to House.
432	Feb. 26 . .	A bill for an act concerning the superintendents of insane hospitals, etc	Kilgore	Feb. 27 . .	Indefinitely postponed.
359	Feb. 26 . .	A bill for an act making an appropriation for the Indiana Institution for Education of the Blind	Moon	Mar. 5 . .	Passed and returned to House.

511	Feb. 26 . .	A bill for an act for the relief of Thomas Wilson, of Madison Township, Montgomery County.	Carroll	Mar. 4 . .	Passed and returned to House.
553	Feb. 26 . .	A bill for an act appropriating money for the erection of a laundry building at the Reform School for Boys	Short	Mar. 2 . .	Passed and returned to House.
357	Feb. 26 . .	A bill for an act authorizing cities and incorporated towns to vacate cemeteries etc	Curtis	Mar. 6 . .	Passed and returned to House.
564	Feb. 26 . .	A bill for an act concerning a Board of Children's Guardians, etc	Lindemuth	Mar. 7 . .	Indefinitely postponed.
626	Feb. 26 . .	A bill for an act concerning the appointment of commissioners to examine the charter of the Terre Haute Railroad .	Cullop	Feb. 26 . .	Referred to Committee on Education.
264	Feb. 26 . .	A bill for an act for the relief of Wm M. Myers, of Knox County.	Cullop	Mar. 7 . .	Passed and returned to House.
129	Feb. 26 . .	A bill for an act requiring the Secretary of State to charge and collect, for the benefit of the State, certain fees from associations, etc	Lindemuth	Mar. 2 . .	Passed and returned to House.
480	Feb. 28 . .	A bill for an act legalizing sales of real estate heretofore made by executors, etc	McCullough	Mar. 7 . .	Passed and referred to House.

HOUSE BILLS IN SENATE--Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
363	Feb. 28 . .	A bill for an act concerning the liabilities of hotels, boarding and eating house keepers, etc	Robbins	Mar. 9 . .	Indefinitely postponed.
292	Feb. 28 . .	A bill for an act for the regulation of Foreign Building, Loan and Benefit Associations, etc	Curtis	Feb. 28 . .	Referred to Committee on Corporations.
554	Feb. 26 . .	A bill for an act authorizing the State Board of Agriculture to purchase, hold and sell real estate . . . . .	. . . . .	Mar. 7 . .	Indefinitely postponed.
388	Feb. 26 . .	A bill for an act to provide for the recording of wills and orders of the court in certain cases	Inman	Mar. 4 . .	Majority and minority reports.
401	Feb. 26 . .	A bill for an act for the relief of Thomas Nichols, of Hendricks County, Ind., etc.	Parker, of Hendricks	Mar. 7 . .	Indefinitely postponed.
466	Feb. 26 . .	A bill for an act authorizing actuaries of mutual fire insurance companies to administer oaths, etc	Hench	Mar. 9 . .	Passed and referred to House.
110	Feb. 26 . .	A bill for an act fixing the liabilities of common carriers to shippers, etc	Callop	Feb. 26 . .	Referred to Committee on Judiciary

559	Feb. 28 . .	A bill for an act to legalize sheriffs', administrators', executors' and commissioners' sales of real estate, etc . . .	Voigt	Mar. 5 . .	Passed and referred to House.
636	Feb. 28 . .	A bill for an act concerning the extending of franchises, etc.	Nolan	Mar. 5 . .	Passed and returned to House.
297	Feb. 28 . .	A bill for an act making the first Monday in September, known as Labor Day, a legal holiday	Thienes	Mar. 7 . .	Passed and referred to House.
299	Feb. 28 . .	A bill for an act to enable land owners to cancel assessments made upon real estate, etc.	Fippen	Mar. 7 . .	Passed and returned to House.
402	Feb. 28 . .	A bill for an act concerning the incorporation of manufacturing and mining companies, etc.	Pickhardt	Mar. 7 . .	Passed and referred to House.
444	Feb. 28 . .	A bill for an act concerning drains in cities, etc.	Teal	Mar. 4 . .	Passed and returned to House.
538	Feb. 28 . .	A bill for an act to provide for the care of the battle flag of the State	Hess	Feb. 28 . .	Referred to Committee on Military Affairs.
648	Mar. 4 . .	A bill for an act concerning drainage of wet lands, etc.	Cullop.	Mar. 4 . .	Passed and returned to House.

HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
645	Mar. 6 . .	A bill for an act making appropriations for the State Government and its institutions, etc	Oppenheim . . .	Mar. 7 . .	Passed and returned to House.
315	Feb. 28 . .	A bill for an act requiring dealers in grain to keep a half-bushel standard measure in their place of business, etc.	Oldham	Mar. 7 . .	Indefinitely postponed.
72	Mar. 6 . .	A bill for an act providing for the employment of flagman at railroad crossings, etc.	Calvert	Mar. 7 . .	Passed and returned to House.
550	Mar. 6 . .	A bill for an act for the relief of G. M. Ballard, etc.	McCullough . . .	Mar. 6 . .	Referred to Committee on Judiciary.
120	Mar. 6 . .	A bill for an act concerning the duties and compensation of the Supreme Court, etc.	Ader	Mar. 7 . .	Passed and returned to House.
114	Mar. 6 . .	A bill for an act to exempt Union soldiers and sailors from working on public highways	Robbins	Mar. 6 . .	Referred to Committee on Military Affairs.

261	Mar. 5 . .	A bill for an act for the appointment of Probate Commissioners by Judges of Circuit Court	Curtis	Mar. 6 . .	Passed and returned to House.
320	Mar. 4 . .	A bill for an act requiring electors to furnish evidence of their legal qualifications in certain cases	Kyle	Mar. 7 . .	Passed and returned to House.
462	Mar. 5 . .	A bill for an act concerning general system of common schools, etc.	Nolan	Mar. 5 . .	Referred to Committee on Education.
602	Mar. 5 . .	A bill for an act concerning railroad companies.	Gent	Mar. 5 . .	Referred to Committee on Railroads.
335	Mar. 5 . .	A bill for an act to prevent the granting of liquor license to non-residents . .	Troy	Mar. 7 . .	Passed and returned to House.
418	Mar. 5 . .	A bill for an act to correct certain abuses and prevent unjust discrimination of and by life insurance companies. . .	Beasley	Mar. 7 . .	Indefinitely postponed.
295	Mar. 5 . .	A bill for an act concerning the carrying of passengers by common carriers, etc.	Cullop	Mar. 5 . .	Referred to Committee on Benevolent Institutions.
565	Mar. 4 . .	A bill for an act authorizing corporations for the purpose of laying pipe lines, etc.	Bernethy	Mar. 6 . .	Passed and returned to House.
601	Mar. 4 . .	A bill for an act concerning incorporated towns; to provide all necessary apparatus for the extinguishment of fires .	Hench	Mar. 5 . .	Read second time.

HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
660	Mar. 4 . .	A bill for an act to levy a tax for 1891 and 1892 of six cents upon \$100 for raising revenue for benevolent institutions	Oppenheim . . .	Mar. 6 . .	Passed and returned to House.
638	Mar. 4 . .	A bill for an act for the relief of Samuel Williams, ex-Trustee of New Garden Township, Wayne County	Lindemuth . . .	Mar. 7 . .	Read second time.
653	Mar. 4 . .	A bill for an act to incorporate the Young Men's Christian Association of New Albany, Ind	Leyden	Mar. 7 . .	Passed and returned to House.
568	Feb. 28 . .	A bill for an act to provide for the care of the battle flag of the State	Hess	Mar. 4 . .	Passed and returned to House.
596	Mar. 4 . .	A bill for an act concerning foreign insurance companies	Sleeper	Mar. 6 . .	Passed and returned to House.
540	Mar. 4 . .	A bill for an act to legalize the election of the Board of Trustees and other officers of the town of Rockport, Spencer County	Baker	Mar. 7 . .	Passed and returned to House.
628	Mar. 4 . .	A bill for an act to legalize the town of Marengo, Crawford County	Trimble	Mar. 5 . .	Read second time:

652	Mar. 4 . .	A bill for an act authorizing the condemnation and purchase of certain lands, concerning the State Prison South . .	Beasley	Mar. 5 . .	Passed and returned to House.
543	Mar. 3 . .	A bill for an act concerning the incorporation of cities, etc.	Fippen	Mar. 7 . .	Passed and returned to House.
492	Mar. 3 . .	A bill for an act to legalize the incorporation of the town of Macy, Miami Co. .	Robbins	Mar. 6 . .	Passed and returned to House.
442	Mar. 3 . .	A bill for an act in relation to the Hendricks monument, etc.	Curtis	Mar. 6 . .	Passed and returned to House.
130	Mar. 3 . .	A bill for an act concerning the filing with the Secretary of State copies of their articles of incorporation . . .	Lindemuth	Mar. 7 . .	Passed and returned to House.
398	Mar. 3 . .	A bill for an act concerning the wearing of badges of secret societies, etc. . . .	Carroll	Mar. 5 . .	Passed and returned to House.
625	Mar. 3 . .	A bill for an act concerning the compensation and term of court of the Board of Commissioners of the several counties of the State.	Glesner	Mar. 7 . .	Indefinitely postponed.
498	Mar. 3 . .	A bill for an act concerning judgments and costs against the State to William F. Gansbey and others	Curtis	Mar. 7 . .	Passed and returned to House.
504	Mar. 3 . .	A bill for an act concerning the Trustees of Purdue University, etc.	Haggard	Mar. 5 . .	Read second time.

HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
612	. . . .	A bill for an act appropriating two thousand and ten dollars and sixteen cents (\$2,010.16) to pay Augustus Bruner for constructing sewer on Mississippi street and Pennsylvania street	Ader	Mar. 5 . .	Passed and returned to House.
531	Mar. 3 . .	A bill for an act authorizing Boards of County Commissioners in this State to make donations, etc	Kern	Mar. 9 . .	Passed and referred to House.
509	Mar. 3 . .	A bill for an act to provide for the submission of city and town plats to the Common Council, etc.	Erwin.	Mar. 7 . .	Passed and returned to House.
259	Mar. 3 . .	A bill for an act concerning elections, etc.	Teal	Mar. 4 . .	Passed and returned to House.
578	Mar. 3 . .	A bill for an act concerning drainage, etc.	Timmons	Mar. 4 . .	Passed and returned to House.
400	Mar. 3 . .	A bill for an act providing for the assessment and collection of certain taxes for the completion of the State Soldiers' and Sailors' Monument, etc . .	Hench	Mar. 6 . .	Passed and returned to House.

595	Mar. 4 . .	A bill for an act prohibiting agents from securing insurance in companies unauthorized by law to do business in the State of Indiana	Sleeper	Mar. 4 . .	Read second time.
618	Mar. 3 . .	A bill for an act for the relief of Doid Marshall and others of Clay County .	Moes	Mar. 7 . .	Passed and returned to House.
530	Mar. 3 . .	A bill for an act concerning the incorporation of manufacturing and mining companies.	Oppenheim	Mar. 6 . .	Passed and returned to House.
518	Mar. 3 . .	A bill for an act to amend section 1 of an act entitled an act to amend section 4 concerning the State Normal School, etc	Lee	Mar. 5 . .	Passed and returned to House.
424	Mar. 3 . .	A bill for an act concerning Boards of Park Commissioners, etc	Lindemuth	Mar. . .	Passed and returned to House.
657	Mar. 3 . .	A bill for an act to legalize the incorporation of New Maysville, Putnam County.	Ader	Mar. . .	Passed and returned to House.
448	Mar. 3 . .	A bill for an act to create a Board of Trustees of Firemen's Pension Fund, etc.	Mack	Mar. 7 . .	Passed and returned to House.
659	Mar. 3 . .	A bill for an act amending section 8 of an act concerning life insurance companies.	Leyden	Mar. 9 . .	Passed over Governor's veto.
275	Feb. 28 . .	A bill for an act concerning certain county officers, and fixing salaries, etc.	Ader	Mar. 4 . .	Passed and referred to House.

HOUSE BILLS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
656	Mar. 3 . .	A bill for an act to amend the first section of an act concerning the purchase of suitable asylums for the use of children who are charges upon the county, etc .	Glessner	Mar. 3 . .	Passed and returned to House.
299	Feb. 28 . .	A bill for an act to enable land owners to cancel assessments made upon real estate, etc.	Fippen	Mar. 7 . .	Passed and referred to House.
611	Mar. 3 . .	A bill for an act concerning Boards of School Commissioners, etc.	Curtis	Mar. 6 . .	Passed and referred to House.
665	Mar. 7 . .	A bill for an act concerning the Treasurer of State in relation to money coming from the United States	Oppenheim	Mar. 9 . .	Passed and referred to House.
327	Mar. 9 . .	A bill for an act concerning the payment of balances due certain contractors of Eastern and Southern Hospitals for Insane, etc. . . . .	. . . . .	Mar. 9 . .	Passed and referred to House.

HOUSE CONCURRENT RESOLUTIONS IN SENATE.

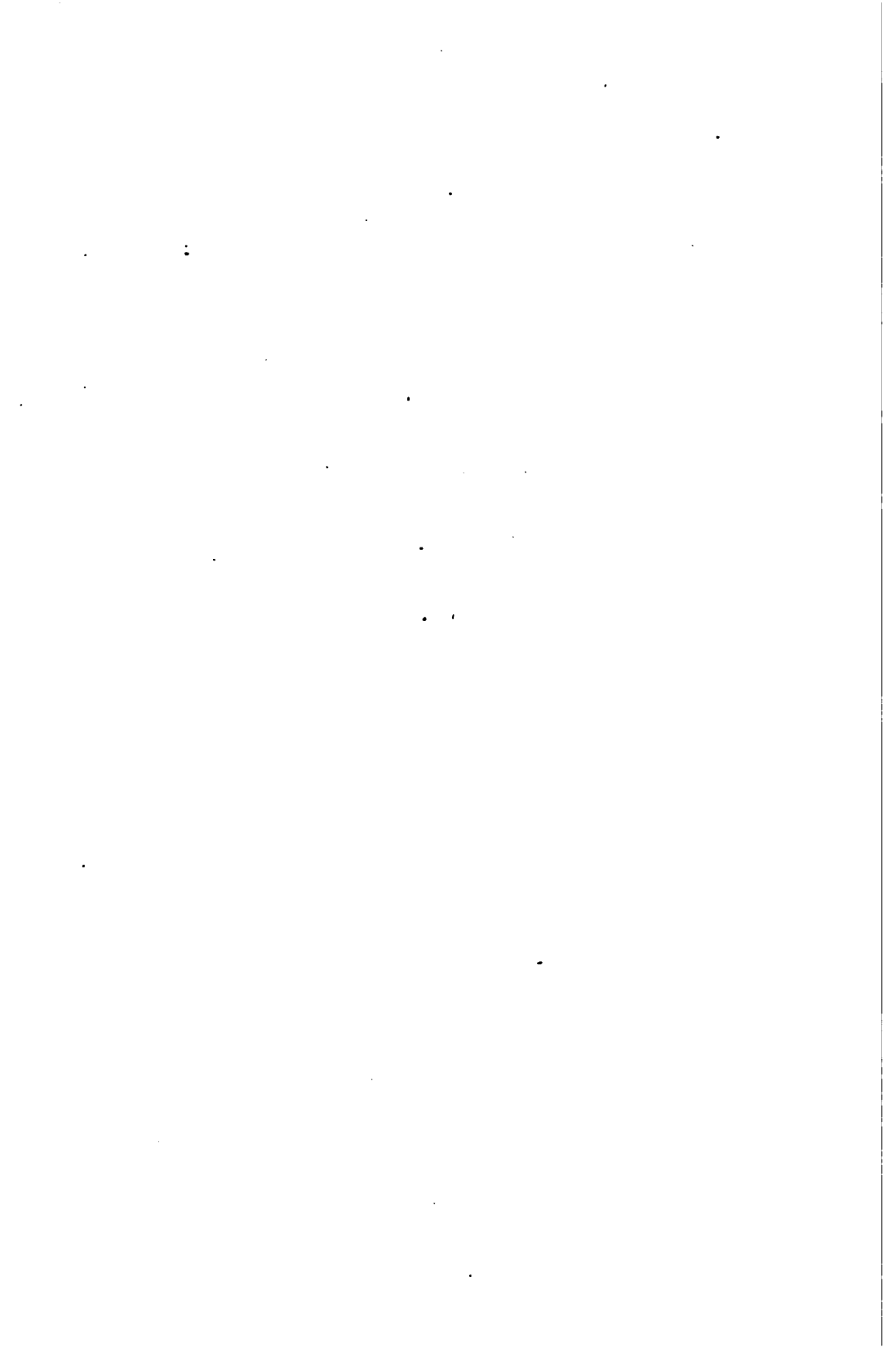
No.	Date Rec'd from the House.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
1	Jan. 9 . .	A concurrent resolution recommending equalization of taxes and appointing a committee to prepare a bill with that object in view	Beasley	Jan. 9 . .	Concurred in.
6	Jan. 14 . .	A concurrent resolution relative to electing United States Senator by the people	Moss	Jan. 15 . .	Concurred in and sent to House.
5	Jan. 14 . .	A concurrent resolution relative to creating the cabinet office of Secretary of Labor	Thienes	Jan. 15 . .	Concurred in and sent to House.
10	Jan. 20 . .	That both Houses meet in the House of Representatives at 12 o'clock to compare votes cast for United States Senator	Howell	Jan. 20 . .	Concurred in and returned to House.
11	Jan. 27 . .	A concurrent resolution that the General Assembly do not further consider the appropriation bill for the World's Fair until the Force Bill is finally disposed of	Beasley	Jan. 28 . .	Concurred in and returned to House.
12	Feb. 6 . .	A concurrent resolution regarding the location of the permanent home of the Grand Division of the Order of Railway Conductors at Indianapolis . . . . .	. . . . .	Feb. 6 . .	Concurred in.

HOUSE CONCURRENT RESOLUTIONS IN SENATE—Continued.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF BILL.
13	Feb. 14 . . .	A House concurrent resolution, making greenback currency taxable the same as black back currency	Trimble	Feb. 14 . .	Referred to Committee on Federal Relations.
16	Feb. 20 . .	A House concurrent resolution instructing Senators and requesting Representatives to Congress to aid in the speedy passage of the Butterworth anti-option bill	Work	Feb. 20 . .	Concurred in.

HOUSE JOINT RESOLUTIONS IN SENATE.

No.	Date Introduced.	SUBJECT MATTER.	Author.	Date of Last Action.	CONDITION OF RESOLUTION.
1	Jan. 14 . .	A joint resolution relative to appointing joint committee to investigate and prepare a bill on the subject of taxing corporations and inheritances . . . .	. . . . .	Jan. 15 . .	Not adopted.
2	Jan. 30 . .	A joint resolution instructing Senators and requesting Representatives in Congress to modify Mexican Pension Act . . .	Stone	Jan. 30 . .	Referred to Committee on Federal Relation.



SENATE BILLS.

Action of the Senate on Senate Bills.

No. 1. BY SENATOR GRIFFITH. Introduced January 9, 1891—	PAGE.
“A bill in relation to the construction of statutes.”	42
Read first time and referred to Committee on Judiciary	42
Reported back, recommending its passage	183
Read second time	309
Read third time and passed	582
No. 2. BY SENATOR BOYD. Introduced January 9, 1891—	
“A bill to provide for the World’s Fair.”	42
Read first time and referred to Committee on World’s Fair.”	42
Reported back, and indefinitely postponed	943
No. 3. BY SENATOR HARLAN. Introduced January 9, 1891—	
“A bill regulating the traffic in intoxicating liquors by local option”	42
Read first time and referred to Committee on Temperance	42
Reported back, majority and minority reports	217
Read second time, indefinitely postponed	524
No. 4. BY SENATOR HAYS. Introduced January 9, 1891—	
“A bill fixing fees and salaries of county officers”	42
Read first time and referred to Committee on Fees and Salaries	42
No. 5. BY SENATOR HOLCOMB. Introduced January 9, 1891—	
“A bill for the care of insane convicts”	42
Read first time and referred to Committee on Benevolent Institutions	42
Reported back, recommending passage	305
Read second time	423
Read third time, amended and passed.	472, 473, 474
No. 6. BY SENATOR HUBBELL. Introduced January 9, 1891—	
“A bill for the incorporation of building and loan associations”	43
Read first time and referred to Committee on Judiciary	43
Reported back, recommending passage	184
Read second time	226
Recommitted to Judiciary Committee	241
Reported back, recommending passage	317
Read second time	317
Read third time and ordered reprinted	434
Referred to special committee	467
Indefinitely postponed.	601

No. 7. BY SENATOR JACKSON. Introduced January 9, 1891—	PAGE.
"A bill in relation to County Surveyors repairing ditches"	43
Read first time and referred to Committee on Swamp Lands and Drains	43
Reported back	119
Indefinitely postponed.	119
No. 8. BY SENATOR KOPELKE. Introduced January 9, 1891—	
"A bill to require the listing of money demands for taxation"	43
Read first time referred to Committee on Judiciary	43
No. 9. BY SENATOR MAGEE. Introduced January 9, 1891—	
"A bill for the protection and relief of railroad employes"	44
Read first time and referred to Committee on Judiciary	44
No. 10. BY SENATOR MORGAN. Introduced January 9, 1891—	
"A bill making appropriations for the Feeble-Minded Youth."	44
Read first time and referred to Committee on Finance	44
Recalled from Finance and referred to Committee on Benevolent Institutions .	94
Reported back, amended, read second time	903
Read third time, amended and passed	1103, 1103
No. 11. BY SENATOR SHOCKNEY. Introduced January 9, 1891—	
"A bill to suppress gambling in stocks, bonds, grain," etc.	44
Read first time and referred to Committee on Judiciary	44
Reported back, ordered printed	209
Read second time	434
Read third time	471
Passed	472
No. 12. BY SENATOR FOLEY. Introduced January 9, 1891—	
"A bill defining what defense can be made by employers in case of personal in-	
juries."	44
Read first time and referred to Committee on Judiciary	44
No. 13. BY SENATOR KERTH. Introduced January 9, 1891—	
"A bill providing for the completion of the Southern Indiana Hospital for the In-	
sane."	44
Read first time and referred to Committee on Benevolent Institutions	45
Reported back, referred to Committee on Finance	306
No. 14. BY SENATOR HOBSON. Introduced January 9, 1891—	
"A bill for compulsory education."	45
Read first time and referred to Committee on Education	45
Reported back, ordered printed	244
No. 15. BY SENATOR BOYD. Introduced January 12, 1891—	
"A bill providing for the Indiana Soldiers' and Sailors' Orphans' Home"	47
Read first time and referred to Committee on Benevolent Institutions	47
Reported back	906
Substitute offered	909
Ordered printed	909
Read third time and passed	1064
Passed House	1221
Correctly enrolled, signed by Lieutenant-Governor	1232
Filed with Governor	1232
Signed by the Governor	1239

No. 16. BY SENATOR BYRD. Introduced January 12, 1891—	PAGE.
“A bill to amend section 2, of an act entitled an act fixing the salaries of County Commissioners, Township Assessors and Trustees”	47
Read first time and referred to Committee on Fees and Salaries	47
No. 17. BY SENATOR CLEMANS. Introduced January 12, 1891—	
“A bill to amend sections 1 and 2 of an act entitled an act for the encouragement of agriculture”	47
Read first time and referred to Committee on Agriculture	47
Reported back	488
No. 18. BY SENATOR EWING. Introduced January 12, 1891—	
“A bill defining the Eighth and Fifty-sixth Judicial Circuits of Indiana, and providing for the appointment of Judge and Prosecuting Attorney for same” . . .	48
Read first time and referred to Committee on Organization of Courts	48
Reported back, indefinitely postponed	530
No. 19. BY SENATOR FOLEY. Introduced January 12, 1891—	
“A bill for the adjustment of grievances between employer and employe and creating a State Court of Arbitration”	48
Read first time and referred to Committee on Labor	48
Reported back with amendments	217
Referred to Committee on Judiciary	254
Reported back, recommending indefinite postponement	392
No. 20. BY SENATOR FRANCIS. Introduced January 12, 1891—	
“A bill to amend section 6 of an act entitled an act to authorize cities and towns to operate and construct water-works”	48
Read first time and referred to Committee on Cities and Towns	48
Reported back and indefinitely postponed	262
No. 21. BY SENATOR GILMAN. Introduced January 12, 1891—	
“A bill prescribing the mode of assessment of real estate in cities and towns of less than four thousand inhabitants, for the improvement of streets”	48
Read first time and referred to Committee on Cities and Towns	48
Reported back with amendment	187
Read second time	226
Report of Committee on Phraseology	316
Reported back	325
Read third time and passed	364
No. 22. BY SENATOR GRIFFITH. Introduced January 12, 1891—	
“A bill in relation to the jurisdiction of Circuit Courts in certain cases”	49
Read first time and referred to Committee on Judiciary	49
Reported back, recommending indefinite postponement concurred in	181
Reconsidered	625
No. 23. BY SENATOR HAYDEN. Introduced January 12, 1891—	
“A bill defining the duties of the Trustees of the Indiana School for Feeble-Minded Youth, limiting the age of pupils”	49
Read first time and referred to Committee on Benevolent Institutions	49
Reported back with amendments	305
Read second time	390
Read third time and passed	477
Passed House	958
Correctly enrolled, signed by Lieutenant-Governor	963
Filed with Governor	984
Signed by Governor	1059

No. 24. BY SENATOR HAYS. Introduced January 12, 1891—	PAGE.
"A bill to repeal section 4 of an act entitled an act concerning husband and wife, approved April 16, 1881."	49
Read first time and referred to Committee on Judiciary	49
No. 25. BY SENATOR HOBSON. Introduced January 12, 1891—	
"A bill providing that twenty-five years shall constitute a life-term in State Prisons and in the Reformatory for Women and Girls."	49
Read first time and referred to Committee on Prison South	49
Reported back, indefinitely postponed, concurred in.	200
No. 26. BY SENATOR GROSE. Introduced January 12, 1891—	
"A bill providing for the Indiana exhibit at the World's Fair."	49
Read first time and referred to Committee on World's Fair	49
Reported back, indefinitely postponed	923
No. 27. BY SENATOR HOLCOMB. Introduced January 12, 1891—	
"A bill to define an act entitled an act concerning the ownership of real estate by aliens."	50
Read first time and referred to Committee on Judiciary	50
No. 28. BY SENATOR HOWARD. Introduced January 12, 1891--	
"A bill to create an Appellate Court and define its powers."	50
Read first time and referred to Committee on Organization of Courts	50
Reported back recommending be printed	185
Recommitted to Committee on Organization of Courts	280
Reported back with amendments	339
Read second time	387
Referred to Committee of the Whole	390
Reported back, amended.	453, 455
Read third time	459
Indefinitely postponed	460
Reconsidered.	510
Amended, read third time, and passed	512
Passed House.	634
Signed by Governor	956
No. 29. BY SENATOR HUBBELL. Introduced January 12, 1891—	
"A bill to amend sections 11 and 108, entitled an act concerning taxation, approved March 29, 1881."	50
Read first time and referred to Committee on Judiciary	59
Reported back and referred to Committee on County and Township Business	183
Reported back, indefinitely postponed	1046
No. 30. BY SENATOR HUDSON. Introduced January 12, 1891—	
"A bill establishing a State Board of Health "	50
Read first time and referred to Committee on Public Health	50
Reported back, recommending passage.	198
Read second time	269
Read third time and passed	275, 276
Passed House.	515
Correctly enrolled and signed by Lieutenant-Governor	572
Filed with Governor	573
Governor's veto	598
Passed, notwithstanding Governor's objections	600
Passed House over Governor's veto	606

No. 31. BY SENATOR JACKSON. Introduced January 12, 1891—	PAGE.
“A bill relating to drainage, authorising appropriations in certain cases”	50
Read first time and referred to Committee on Drains and Swamp Lands	50
Reported back, indefinitely postponed	283
Referred to Committee on Phraseology	312
 No. 32. BY SENATOR KENNEDY. Introduced January 12, 1891—	
“A bill to reduce the rate of interest from 8 to 6 per cent. on all school funds loaned previous to March 2, 1889”	51
Read first time and referred to Committee on Judiciary	51
Reported back, recommending passage	184
Read second time	226
Read third time and passed	251
Passed House.	550
 No. 33. BY SENATOR KERTH. Introduced January 12, 1891—	
“A bill to amend an act entitled an act fixing the salaries of County Commissioners, Township Assessors and Trustees”	51
Read first time and referred to Committee on Judiciary	51
Reported back and referred to Committee on Fees and Salaries	211
 No. 34. BY SENATOR KOPELKE. Introduced January 12, 1891—	
“A bill providing for the recording of evidence of affidavits affecting the title to lands”	51
Read first time and referred to Committee on Judiciary	51
Reported back, indefinitely postponed	243
 No. 35. BY SENATOR LOVELAND. Introduced January 12, 1891—	
“A bill to amend section 173 of an act entitled an act concerning public offenses, approved April 14, 1881”	51
Read first time and referred to Committee on Temperance	51
Reported back, recommending its passage	216
Read second time	261
Read third time, passed	313, 314
 No. 36. BY SENATOR MAGEE. Introduced January 12, 1891—	
“A bill for the formation of deposit, loan, guarantee and trust companies”	51
Read first time and referred to Committee on Judiciary	51
Reported back	560
 No. 37. BY SENATOR MOUNT. Introduced January 12, 1891—	
“A bill to amend section 2331 of the Revised Statutes of 1881”	52
Read first time and referred to Committee on Judiciary	52
Majority and minority reports	181
 No. 38. BY SENATOR SHANKS. Introduced January 12, 1891—	
“A bill allowing changes to be made in the length, width and depth of the limestone ledge in the Kankakee river”	52
Read first time and referred to Committee on Swamp Lands and Drains	52
Reported back, with amendments	104
Read second time	147
Report concurred in	148
Read third time and passed	176, 177
Passed House amended	1085
House amendments concurred in	1115
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with the Governor	1164
Signed by the Governor	1167

No. 39. BY SENATOR SHOCKNEY. Introduced January 12, 1891—	PAGE.
“A bill to amend section 4439 of the R. S. of 1881”	52
Read first time and referred to Committee on Cities and Towns	52
Reported recommending passage when amended	263
Read second time and laid on table	304
Indefinitely postponed	324
 No. 40. BY SENATOR SMITH. Introduced January 12, 1891—	
“A bill to prevent the waste of natural gas”	52
Read first time and referred to Committee on Natural Gas	52
Reported back, indefinitely postponed	284
 No. 41. BY SENATOR THOMPSON, OF HUNTINGTON AND WELLS. Introduced January 12, 1891—	
“A bill to prohibit the standing and breeding of certain animals”	53
Read first time and referred to Committee on Judiciary	53
Reported back and referred to Committee on Agriculture	182
Reported back recommending passage	215
Read second time	267
Indefinitely postponed	288
 No. 42. BY SENATOR THOMPSON, OF MARION. Introduced January 12, 1891—	
“A bill to amend sections 5907, 5927, 5928, 5974, of the R. S. of 1881”	53
Read first time and referred to Committee on Fees and Salaries	53
 No. 43. BY SENATOR CASTER. Introduced January 12, 1891—	
“A bill to limit the rate of fare on railroads”	53
Read first time and referred to Committee on Rights and Privileges	53
Reported back and referred to Committee on Railroads	486
Reported back, indefinitely postponed	889
 No. 44. BY SENATOR MAGEE. Introduced January 12, 1891—	
“A bill requiring the compulsory attendance of children at schools”	55
Read first time and referred to Committee on Education	55
 No. 45. BY SENATOR BYRD. Introduced January 12, 1891—	
“A bill to amend section 1 of an act approved April 13, 1885”	56
Read first time and referred to Committee on Roads	56
Reported back with amendment	186
Read second time	241
Read third time and passed	246, 247
Passed House with amendments	1039
Amendments concurred in	1042
Correctly enrolled and signed by Lieutenant-Governor	1155
Filed with Governor	1155
Signed by Governor	1154
 No. 46. BY SENATOR SHOCKNEY. Introduced January 12, 1891—	
“A bill declaring unlawful all trusts, pools, contracts, combinations, in restraint of trade, etc.”	56
Read first time and referred to Committee on Judiciary	56
Reported back and recommending passage	243
Read second time	304
Read third time, amended and passed	376
 No. 47. BY SENATOR CASTER. Introduced January 12, 1891—	
“A bill to prevent killing of quails”	56
Read first time and referred to Committee on County and Township Business	56
Reported back and indefinitely postponed	303

No. 48. BY SENATOR CLEMANS. Introduced January 12, 1891—	PAGE—
“A bill to legalize acts of Notaries Public in certain cases”	56
Read first time and referred to Committee on Judiciary	56
Reported back, recommending passage	
Read second time	182
Read third time and passed	202
Passed House	450
Correctly enrolled and signed by Lieutenant-Governor	597
Filed with Governor	630
Signed by Governor	634
No. 49. BY SENATOR EWING. Introduced January 12, 1891—	
“A bill legalizing the incorporation of the town of Westport”	56
Read first time and referred to Committee on Cities and Towns	56
Withdrawn from committee	94
Constitutional rule suspended	94
Read second and third time	94
Passed	94
Passed House	25
Correctly enrolled	362
Signed by Lieutenant-Governor	362
Filed with Governor	363
Signed by Governor	363
No. 50. BY SENATOR FRANCIS. Introduced January 12, 1891—	
“A bill in relation to the establishment of parks in cities and towns”	57
Read first time and referred to Committee on Cities and Towns	57
Reported back with amendment	187
Read second time	236
Read third time	360
Amended and passed	361, 362
Passed House, amended	840
House amendments adopted	1080
Correctly enrolled and signed by Lieutenant-Governor	1130
Signed by Governor	1122
No. 51. BY SENATOR GROSE. Introduced January 12, 1891—	
“A bill for legal services to the State of Indiana rendered by the Julians”	57
Read first time and referred to Committee on Claims	57
Reported back and indefinitely postponed	280
No. 52. BY SENATOR HAYDEN. Introduced January 12, 1891—	
“A bill providing for the payment for the construction of the School for Feeble-Minded Youth”	57
Read first time and referred to Committee on Claims	57
Reported back, referred to Committee on Finance	269
Reported back, recommending passage	271
Read second time	387
Read third time and passed	465, 466
Passed House	891
Correctly enrolled, signed by Lieutenant-Governor	962
Filed with the Governor	963
Signed by Governor	999
No. 53. BY SENATOR KOPELKE. Introduced January 12, 1891—	
“A bill providing for the recording of order of courts in <i>lis pendens</i> record affecting real estate”	57
Read first time and referred to Committee on Judiciary	57
Reported back, recommending passage	181
Read second time	236
Read third time and passed	251

No. 54. BY SENATOR SHOCKNEY. Introduced January 12, 1891—	PAGE.
“A bill fixing compensation for removing persons to insane asylums, reformatories, etc.”	57
Read first time and referred to Committee on Fees and Salaries	58
No. 55. BY SENATOR THOMPSON, OF MARION. Introduced January 14, 1891—	
“A bill for the protection of persons confined in insane asylums”	81
Read first time and referred to Committee on Benevolent Institutions	81
Reported back, substitute	311
No. 56. BY SENATOR CLEMANS. Introduced January 14, 1891—	
“A bill for the security of money and property of minor children”	82
Read first time and referred to Committee on County and Township Business	82
Reported back, amended, ordered printed	304
Read second time	418
Read third time and failed to pass	435
No. 57. BY SENATOR FRANCIS. Introduced January 14, 1891—	
“A bill to amend section 1 of an act relative to the relocation of county seats, approved March 9, 1889”	82
Read first time and referred to Committee on Judiciary	82
Reported back, recommending its passage	243
No. 58. BY SENATOR GRIMES. Introduced January 14, 1891—	
“A bill to amend sections 3 and 5 of an act concerning drainage”	82
Read first time and referred to Committee on Swamp Lands and Drains	82
Reported back with amendments	228
Read second time	259
Recommitted to Committee on Swamp Lands and Drains	280
Reported back with amendments	283
Read third time and passed	436
No. 59. BY SENATOR GROSE. Introduced January 14, 1891—	
“A bill for the government of the hospitals for the insane, blind, deaf and dumb”	82
Read first time and referred to Committee on Benevolent Institutions	82
Majority and minority reports	310
No. 60. BY SENATOR HANLEY. Introduced January 14, 1891—	
“A bill to legalize the town of Pine Village”	82
Read first time	83
Constitutional rules suspended	83
Read second and third times and passed	83
Passed House	190
Correctly enrolled and signed by Lieutenant-Governor	205
Filed with Governor	208
Signed by Governor	225
No. 61. BY SENATOR EWING. Introduced January 14, 1891—	
“A bill abolishing the old State Board of Agriculture and providing a new Board”	84
Read first time and referred to Committee on Agriculture	84
Reported back recommending passage	215
Read second time	293
Referred to Committee on Phraseology	307
Reported back	325
Read third time	333
Amended	335, 419, 461
Passed	462
Passed House	891
Became law without Governor's signature	997

No. 62. BY SENATOR BYRD. Introduced January 14, 1891—	PAGE.
“A bill providing for the relief of the Supreme Court ”	85
Read first time and referred to Committee on Judiciary	85
Reported back, indefinitely postponed	285
No. 63. BY SENATOR HARLAN. Introduced January 14, 1891—	
“A bill prohibiting the burning of natural gas in flambeau lights ”	85
Read first time and referred to Committee on Natural Gas	85
Reported back with amendments	200
Read second time	237
Amended, read third time, and passed	247, 248
Passed House	573
Correctly enrolled, signed by Lieutenant-Governor	597
Filed with Governor	630
Law by lapse of time without Governor's signature	818
No. 64. BY SENATOR HOLLAND. Introduced January 14, 1891—	
“A bill relative to time of holding court in the Sixth Judicial Circuit ”	85
Read first time	85
Constitutional rule suspended.	85
Read second and third times and passed	86
Passed the House	111
Correctly enrolled	172
Lieutenant-Governor signed	177
Filed with Governor	205
Signed by Governor	206
No. 65. BY SENATOR FOLEY. Introduced January 14, 1891—	
“A bill to amend sections 4, 15 and 16, of an act for the incorporation of building and loan associations, approved March 11, 1885 ”	86
Read first time and referred to Committee on Judiciary	86
Reported back with amendments	392
No. 66. BY SENATOR KERTH. Introduced January 14, 1891—	
“A bill to amend section 49 of an act approved May 12, 1869, relative to the management of savings banks ”	86
Read first time and referred to Committee on Banks	86
Reported back recommending passage	286
Read second time	388
Read third time and passed	478
Passed House	840
Correctly enrolled, signed by Lieutenant-Governor	882
Filed with Governor	882
Signed by Governor	886
No. 67. BY SENATOR KOPELKE. Introduced January 14, 1891—	
“A bill to amend an act approved March 3, 1881, relative to land patents as legal evidence in court ”	87
Read first time and referred to Committee on Judiciary	87
Reported back recommending passage	181
Read second time	280
Read third time and failed to pass	312, 313
No. 68. BY SENATOR LOVELAND. Introduced January 14, 1891—	
“A bill to amend section 1 of an act authorizing Commissioners to accept certain gravel roads, approved April 9, 1885 ”	87
Read first time and referred to Committee on Roads	87
Reported back recommending passage	306
Read second time	388
Read third time	478
Passed	484

No. 69. BY SENATOR MAGEE. Introduced January 14, 1891—

PAGE.

"A bill providing for the appointment of World's Fair Commissioners"	87
Read first time and referred to Committee on World's Fair	87

No. 70. BY SENATOR MORGAN. Introduced January 14, 1891—

"A bill to provide remedy for taxing certain Indiana lands"	87
Read first time and referred to Committee on Judiciary	87
Reported back, recommending passage	392
Passed House	964
Correctly enrolled and signed by Lieutenant-Governor	1130
Filed with Governor	1131
Signed by Governor	1122

No. 71. BY SENATOR MOUNT. Introduced January 14, 1891—

"A bill to amend section 3431 of Revised Statutes of 1881, pertaining to the power of Constables in arresting horse thieves"	87
Read first time and referred to Committee on Judiciary	88
Reported back, recommending passage	180
Read second time	227
Read third time and passed	252
Passed House	1057
Correctly enrolled and signed by Lieutenant-Governor	1066
Filed with Governor	1067
Signed by Governor	1110

No. 72. BY SENATOR McHUGH. Introduced January 14, 1891—

"A bill relative to common councils redistricting their cities for ward purposes"	88
Read first time and referred to Committee on Cities and Towns	88
Reported back, recommending passage when amended	264
Read second time	388
Read third time and passed	484
Passed House	954
Correctly enrolled and signed by Lieutenant-Governor	963
Filed with Governor	964
Signed by Governor	1059

No. 73. BY SENATOR SHOCKNEY. Introduced January 14, 1891—

"A bill relative to the care of water-ways near the State lines of Indiana"	88
Read first time and referred to Committee on Swamp Lands and Drains	88
Reported back, recommending passage	119
Read second time	155
Read third time and passed	177
Passed House	450
Correctly enrolled and signed by Lieutenant-Governor	597
Filed with Governor	630
Signed by Governor	634

No. 74. BY SENATOR SWEENEY. Introduced January 14, 1891—

"A bill compelling railroad companies to establish waiting rooms, etc."	89
Read first time and referred to Committee on Railroads	89
Reported back, recommending passage	228
Read second time	310
Amended	356
Read third time and amended	530
Passed	521
Passed House	957
Correctly enrolled and signed by Lieutenant-Governor	963
Filed with Governor	964
Signed by Governor	1059

No. 75. BY SENATOR THOMPSON, OF PULASKI. Introduced January 14, 1891. PAGE.

"A bill to amend sections 6 and 7, prohibiting the obstruction of ditches, approved February 28, 1889"	89
Read first time and referred to Committee on Swamp Lands and Drains	89
Reported back with amendments	119
And when so amended it do pass	120
Read third time and referred to special committee	177
Made special order	178
Special committee reported amendments	195
Read third time and passed	296

No. 76. BY SENATOR MAGEE. Introduced January 14, 1891—

"A bill making room for recent cases in the Hospitals for the Insane"	92
Read first time and referred to Committee on Benevolent Institutions	92
Reported back, recommending passage	305
Read second time	529
Read third time	640
Failed to pass	642

No. 77. BY SENATOR MAGEE. Introduced January 14, 1891—

"A bill providing for the reimbursement of the Superintendent of the Northern Hospital for the Insane"	93
Read first time and referred to Committee on Finance	93
Reported back, recommending passage, and ordered printed	261
Read second time, constitutional rules suspended, read third time and passed	336, 339
Passed House	586
Correctly enrolled and signed by Lieutenant-Governor	604
Filed with Governor	630
Signed by Governor	634

No. 78. BY SENATOR MAGEE. Introduced January 14, 1891—

"A bill authorizing counties to purchase toll-roads"	93
Read first time and referred to Committee on Public Roads	93
Reported back, indefinite postponement, amended to print	186

No. 79. BY SENATOR MAGEE. Introduced January 14, 1891—

"A bill defining usury"	93
Read first time and referred to Committee on Judiciary	93
Reported back, ordered printed	243
Read second time	424

No. 80. BY SENATOR HAYS. Introduced January 15, 1891—

"A bill providing for the appointment of administrators <i>de bonis non</i> "	104
Read first time and referred to Committee on Judiciary	104
Reported back, recommended passage and read second time	183
Read third time and passed	206
Passed House	1040
Correctly enrolled, signed by Lieutenant-Governor	1096
Filed with Governor	1067
Signed by the Governor	1110

No. 81. BY SENATOR CLEMANS. Introduced January 15, 1891—

"A bill concerning roads and highways"	104
Read first time and referred to Committee on Roads	104
Reported back, indefinitely postponed	307

No. 82. BY SENATOR EWING. Introduced January 15, 1891—

"A bill to repeal section 80, same being section 1983 of the R. S. of 1831, concerning public offenses"	104
Read first time and referred to Committee on Judiciary	104
Reported back, recommending indefinite postponement, concurred in	183

No. 83. BY SENATOR FULK. Introduced January 15, 1891—

PAGE.

"A bill to repeal sections 1 and 2 of an act in relation to animals running at large, sections 2637 and 2638, R. S. 1881"	105
Read first time and referred to Committee on Judiciary	105
Recommending indefinite postponement not concurred in	182
Ordered printed	182
Read second time and referred to special committee to amend	235, 236
Reported back	235, 236
Read second time	418
Read third time	437

No. 84. BY SENATOR BOYD. Introduced January 15, 1891—

"A bill to amend sections 3204, 3206, 3207, 3209 of the R. S. of 1881"	105
Read first time and referred to Committee on Judiciary	105
Reported back recommending passage	215
Read second time	309
Read third time, amended	329
Passed	330
Passed House	587
Correctly enrolled and signed by Lieutenant-Governor	604
Filed with Governor	630
Signed by Governor	633

No. 85. BY SENATOR GILMAN. Introduced January 15, 1891—

"A bill to legalize the town of Fowler"	105
Read first time	105
Rules suspended	105
Read second and third times and passed	108
Passed House	190
Indefinitely postponed	247

No. 86. BY SENATOR GROSE. Introduced January 15, 1891—

"A bill to regulate the sale of intoxicating liquors"	107
Read first time and referred to Committee on Temperance	107
Reported back, laid on table and ordered printed	217

No. 87. BY SENATOR HARLAN. Introduced January 15, 1891—

"A bill to amend section 1771 of the Revised Statutes of 1881, concerning proceedings in criminal cases"	107
Read first time and referred to Committee on Judiciary	107
Reported back, recommending passage	213
Read second time	387
Read third time and failed to pass	465

No. 88. BY SENATOR HAYS. Introduced January 15, 1891—

"A bill to legalize conveyances of real estate by attorneys in fact"	107
Read first time and referred to Committee on Judiciary	107
Reported back, recommending passage	184
Read second time	226
Read third time and passed	249
Failed to pass House	452

No. 89. BY SENATOR HOLCOMB. Introduced January 15, 1891—

"A bill to repeal sections 4045, 4046, 4647 of the Revised Statutes of 1881, concerning the construction of railroads by counties and townships"	107
Read first time and referred to Committee on County and Township Business	107
Reported back, recommending passage	198
Read second time, recommended to Committee on Railroads	235
Reported back and read second time	865, 866

No. 90. BY SENATOR HOLLAND. Introduced January 15, 1891—	PAGE.
"A bill making the opinions of the Supreme Court evidence in certain cases" . . .	108
Read first time and referred to Committee on Judiciary	108
Reported back with amendments	184
Read second time	226
Read third time and passed	274
See page	508
Passed House	1158
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with Governor	1164
Signed by the Governor	1168
 No. 91. BY SENATOR HOWARD. Introduced January 15, 1891—	
"A bill authorizing the issuing of graduating drainage bonds"	108
Read first time and referred to Committee on Judiciary	108
Reported back and referred to Committee on Swamp Lands	212
Reported back, indefinitely postponed	262
 No. 92. BY SENATOR HUBBELL. Introduced January 15, 1891—	
"A bill to amend sections 1622 and 1623 of the R. S. of 1881, concerning proceeding in criminal cases"	108
Read first time and referred to Committee on Judiciary	108
Reported back, recommending passage	213
Read second time	398
Read third time and passed	605
 No. 93. BY SENATOR KENNEDY. Introduced January 15, 1891—	
"A bill for the relief of Stewart Porter"	108
Read first time and referred to Committee on County and Township Business	108
Reported back, recommending passage	198
Read second time	236
Read third time, title amended and passed	276
 No. 94. BY SENATOR KOPELKE. Introduced January 15, 1891—	
"A bill to establish county courts, provide judge for same"	110
Read first time and referred to Committee on Organization of Courts	110
Reported back, indefinitely postponed	184
 No. 95. BY SENATOR McHUGH. Introduced January 15, 1891—	
"A bill to amend section 581 of the R. S. of 1881, an act concerning proceedings in civil cases"	110
Read first time and referred to Committee on Judiciary	110
Reported back, recommending passage	209
Read second time and amended	390
Read third time and passed	608
Passed House	1187
Correctly enrolled, signed by Lieutenant-Governor	1198
Filed with Governor	1199
Signed by Governor	1203
 No. 96. BY SENATOR MAGEE. Introduced January 15, 1891—	
"A bill providing for the current expenses of the Northern Hospital for the Insane."	110
Read first time and referred to Committee on Finance	110
 No. 97. BY SENATOR SHOCKNEY. Introduced January 15, 1891—	
"A bill concerning the employment of physicians for the pauper poor"	110
Read first time and referred to Committee on Public Health and Vital Statistics"	110
Reported back, ordered printed	265
Substitute adopted	429
Indefinitely postponed	431

No. 98. BY SENATOR SWEENEY. Introduced January 15, 1891—	PAGE.
“A bill compelling telegraph lines to be thirty feet away from any residence” . . .	111
Read first time and referred to Committee on Judiciary	111
Reported back, recommending indefinite postponement	208
Laid on table	208
No. 99. BY SENATOR WIGGS. Introduced January 15, 1891—	
“A bill to legalize illegitimate children”	111
Read first time and referred to Committee on Judiciary	111
Reported back, laid on table	213
No. 100. BY SENATOR FOLEY. Introduced January 16, 1891—	
“A bill for payment of money to Henry Stacy”	120
Read first time and referred to Committee on Claims	120
Reported back, recommending passage	216
Read second time	260
Read third time and referred to Committee on Finance	274
Reported back, recommending passage	431
Read third time and passed	475
Passed House.	1186
Correctly enrolled and signed by Lieutenant-Governor	1198
Filed with Governor	1199
Signed by Governor	1203
No. 101. BY SENATOR FOLEY. Introduced January 16, 1891—	
“A bill to amend section 1771 of the R. S. of 1881, concerning proceedings in criminal cases”	120
Read first time and referred to Committee on Judiciary	120
Reported back and indefinitely postponed	211
No. 102. BY SENATOR HURLAN. Introduced January 16, 1891—	
“A bill to make certain reduction of taxation on real estate”	121
Read first time and referred to Committee on Judiciary	121
Reported back and referred to Committee on Finance	206
No. 103. BY SENATOR KOPELKE. Introduced January 16, 1891—	
“A bill to provide for acknowledgment of instruments executed in foreign countries”	121
Read first time and referred to Committee on Judiciary	121
Reported back, recommending passage	243
Read second time	398
Read third time and passed	521
No. 104. BY SENATOR MAGEE. Introduced January 16, 1891—	
“A bill to amend section 1188 of Elliott’s Supplement, an act concerning drainage”	121
Read first time and referred to Committee on Swamp Lands and Drains	121
Reported back and indefinitely postponed	228
No. 105. BY SENATOR SHOCKNEY. Introduced January 16, 1891—	
“A bill providing superintendence of repairs in free turnpike roads”	121
Read first time and referred to Committee on Public Roads	121
Reported back, laid on table	307
No. 106. BY SENATOR HANLEY. Introduced January 16, 1891—	
“A bill amending section 1917 of the Revised Statutes of 1881, concerning public offenses”	121
Read first time and referred to Committee on Judiciary	121
Reported back with amendments	214
Read second time	259
Read third time and amended	273
Passed, title amended	274

No. 107. BY SENATOR KOPELKE. Introduced January 16, 1891—	PAGE.
“A bill fixing a time for Township Assessors to make returns to Auditor”	141
Read first time and referred to Committee on County and Township Business	141
Reported back and indefinitely postponed	395
No. 108. BY SENATOR FRENCH. Introduced January 16, 1891—	
“A bill concerning interest and usury”	141
Read first time and referred to Committee on Judiciary	141
Reported back, laid on table	208
Read second time, laid on table	379, 380
No. 109. BY SENATOR EWING. Introduced January 16, 1891—	
“A bill to amend section 1927 of the R. S. of 1891, concerning public offenses”	141
Read first time and referred to Committee on Judiciary	141
Reported back recommending passage	211
Read second time	237
Read third time, amended	359
Passed	360
Passed House, amended	1158
House amendments concurred in	1159
Correctly enrolled, signed by Lieutenant-Governor	1213
Filed with Governor	1213
Signed by Governor	1223
No. 110. BY SENATOR MAGEE. Introduced January 16, 1891—	
“A bill to amend an act concerning proceedings in criminal cases”	141
Read first time and referred to Committee on Judiciary	141
Reported back, indefinitely postponed	212
No. 111. BY SENATOR JONES. Introduced January 16, 1891—	
“A bill for the exemption of homestead property from execution”	142
Read first time and referred to Committee on Judiciary	142
Reported back, indefinitely postponed	447
No. 112. BY SENATOR SMITH. Introduced January 17, 1891—	
“A bill to regulate the transportation of natural gas”	146
Read first time and referred to Committee on Natural Gas	146
Reported back, recommending passage	188
Read second time	227
Read third time, amended and passed	314, 315, 316
Passed House	891
Became law by lapse of time without Governor's signature	997
No. 113. BY SENATOR LYNN. Introduced January 17, 1891—	
“A bill to legalize the town of Leavenworth”	147
Read first time and referred to Committee on Cities and Towns	147
Reported back, recommending passage	187
Read second time	261
Read third time and passed	277
No. 114. BY SENATOR MCGREGOR. Introduced January 17, 1891—	
“A bill amending a section appropriating moneys to pay members of the Indiana Legion”	147
Read first time and referred to Committee on Military Affairs	147

No. 115. BY SENATOR KOPELKE. Introduced January 17, 1891—	PAGE.
"A bill legalising acknowledgment of deeds in certain cases"	147
Read first time and referred to Committee on Judiciary	147
Reported back, recommending passage	210
Read second time	257
Read third time and passed	235
Passed House	1154
Correctly enrolled and signed by Lieutenant-Governor	1164
Filed with Governor	1164
Signed by Governor	1208
 No. 116. BY SENATOR BOYD. Introduced January 19, 1891—	
"A bill to regulate the use of natural gas"	149
Read first time and referred to Committee on Natural Gas	149
Reported back and indefinitely postponed	283
 No. 117. BY SENATOR CHANDLER. Introduced January 19, 1891—	
"A bill to prohibit the obstruction of ditches"	149
Read first time and referred to Committee on Swamp Lands and Drains	149
Reported back and indefinitely postponed	282
 No. 118. BY SENATOR BYRD. Introduced January 19, 1891—	
"A bill abolishing the office of Mine Inspector, and creating the office of Inspector of Mines"	149
Read first time and referred to Committee on Mines and Mining	149
Reported back, recommending passage	186
Read second time	236
Read third time and passed	246
Passed House	839
Vetoed by Governor	1005
Passed notwithstanding the Governor's objections	1006
Passed House over Governor's objections	1039
 No. 119. BY SENATOR CLEMANS. Introduced January 19, 1891—	
"A bill to prevent the killing of quails"	150
Read first time and referred to Committee on County and Township Business	150
Reported back, recommending passage	198
Read second time	256
Amended.	257
Read third time, failed to pass	279
Want of constitutional majority	280
 No. 120. BY SENATOR GILMAN. Introduced January 19, 1891—	
"A bill providing for fire insurance by the State"	150
Read first time and referred to Committee on Insurance	150
Reported back, ordered printed	359
 No. 121. BY SENATOR HAYS. Introduced January 19, 1891—	
"A bill to amend section 1640 of the R. S. of 1881, concerning proceedings in criminal cases"	150
Read first time and referred to Committee on Judiciary	150
Reported back, ordered printed	210
Read second time and indefinitely postponed	259

No. 122. BY SENATOR HOWARD. Introduced January 19, 1891—	PAGE.
“A bill to amend sections 4, 8 and 10 of an act concerning duties of cities and towns, approved March 8, 1889”	150
Read first time and referred to Committee on Cities and Towns	150
Reported back, with amendments	187
Read second time	236, 260
Amended	269
Read third time, amended and passed	275
Passed House with amendments	965
Amendments concurred in	1019
Correctly enrolled, signed by Lieutenant-Governor	1130
Filed with Governor	1131
Signed by Governor	1141
No. 123. BY SENATOR JACKSON. Introduced January 19, 1891—	
“A bill providing for establishment of circuit courts and officers for same”	151
Read first time and referred to Committee on Organization of Courts	151
Reported back, recommended to be printed	186
Passed House	1140
No. 124. BY SENATOR KOPELKE. Introduced January 19, 1891—	
“A bill to amend an act concerning highways and Supervisors”	151
Read first time and referred to Committee on Cities and Towns	151
Reported back, recommending passage	183
Read second time and made special order	227
Report concurred in	235
Read third time, title amended and passed	277
No. 125. BY SENATOR KOPELKE. Introduced January 19, 1891—	
“A bill concerning organization of companies and corporations”	151
Read first time and referred to Committee on Corporations	151
Reported back, recommending passage	199
Read second time	309
Read third time and passed	366
No. 126. BY SENATOR McHUGH. Introduced January 19, 1891—	
“A bill legalizing the Lafayette Union Railroad”	151
Read first time and referred to Committee on Railroads	151
Reported back, recommending passage	227
Read second time	310
Read third time and amended	367
Passed	368
Passed House	825
Correctly enrolled and signed by Lieutenant-Governor	882
Filed with Governor	882
Signed by Governor	886
No. 127. BY SENATOR MOUNT. Introduced January 19, 1891—	
“A bill legalizing the town of Michigantown”	152
Read first time and referred to Committee on Corporations	152
Reported back, recommending passage	199
Read second time, constitutional rules suspended, read third time and passed	203, 264
Passed House	450
Correctly enrolled and signed by Lieutenant-Governor	597
Filed with Governor	630
Signed by Governor	634
No. 128. BY SENATOR SHOCKNEY. Introduced January 19, 1891—	
“A bill to amend an act concerning proceedings in civil causes”	152
Read first time and referred to Committee on Judiciary	152
Majority and minority reports	242
Read second time and laid on table	530

No. 129. BY SENATOR WIGGS. Introduced January 19, 1891—	PAGE.
“A bill to amend an act concerning public offenses”	152
Read first time and referred to Committee on Judiciary	152
Reported back, indefinitely postponed	211
No. 130. BY SENATOR HAYDEN. Introduced January 19, 1891—	
“A bill protecting quail and grouse”	153
Read first time and referred to Committee on County and Township Business	153
Reported back recommending passage	385
Read second time	524
Read third time and failed to pass	595, 596
No. 131. BY SENATOR BYRD. Introduced January 19, 1891—	
“A bill requiring the payment of employes every two weeks”	153
Read first time and referred to Committee on Mines and Mining	153
Reported back recommending passage	186
Read second time	229
Read third time and passed	250
Passed House	949
Signed by Lieutenant-Governor	1130
Signed by Governor	1122
No. 132. BY SENATOR HAYS. Introduced January 19, 1891—	
“A bill removing legal disabilities of married women”	153
Read first time and referred to Committee on Judiciary	153
Reported back recommending passage	210
Read second time, indefinitely postponed	423
No. 133. BY SENATOR SHOCKNEY. Introduced January 19, 1891—	
“A bill to amend an act relative to the appointment of notaries public”	153
Read first time and referred to Committee on Judiciary	153
Reported back and referred to special committee to amend	209
Reported back substitute	230
Read second time	418
Read third time and passed	434
Passed House	1186
Correctly enrolled, signed by Lieutenant-Governor	1196
Filed with Governor	1199
Signed by Governor	1203
No. 134. BY SENATOR HOLLAND. Introduced January 19, 1891—	
“A bill concerning the committal of insane persons to hospitals”	155
Read first time and referred to Committee on Benevolent Institutions	155
Reported back, recommending indefinite postponement, concurred in	199
No. 135. BY SENATOR CARVER. Introduced January 20, 1891 -	
“A bill regulating the liability of employers”	172
Read first time and referred to Committee on Judiciary	172
No. 136. BY SENATOR ELLISON. Introduced January 20, 1891—	
“A bill legalizing the acts of Deputy Recorders”	173
Read first time and referred to Committee on Judiciary	173
Reported back substitute	213
Read second time	257
Read third time and passed	272
Title amended	273
Passed House	1187
Correctly enrolled, signed by Lieutenant-Governor	1198
Filed with Governor	1199
Signed by Governor	1203

No. 137. BY SENATOR FOLEY. Introduced January 20, 1891—

PAGE.

"A bill amending sections 1 and 11 concerning metropolitan police, approved March 5, 1883"	173
Read first time and referred to Committee on Cities and Towns	173
Reported back substitute	318, 319, 320, 321
Read second time	420
Amended	421, 422
Read third time and passed	449
Passed House with amendments	802
House amendments referred to Committee on Cities and Towns	806
Reported back, House amendments concurred in	852
Correctly enrolled, signed by Lieutenant-Governor	934
Filed with Governor	934
Vetoed by Governor	950
Passed over veto	953
Passed House over Governor's veto	965

No. 138. BY SENATOR FULK. Introduced January 20, 1891—

"A bill to amend sections 521 and 1337, Revised Statutes of 1881"	173
Read first time and referred to Committee on Organisation of Courts	173
Reported back	496
Indefinitely postponed	784

No. 139. BY SENATOR FULK. Introduced January 20, 1891—

"A bill to establish work-houses in county seats"	174
Read first time and referred to Committee on Cities and Towns	174
Reported back, recommending passage when amended	263
Recommitted to special committee	294

No. 140. BY SENATOR GRIMES. Introduced January 20, 1891—

"A bill providing for docketing of causes appealed to the Supreme Court"	74
Read first time and referred to Committee on Judiciary	174
Reported back and laid on table	210

No. 141. BY SENATOR HARLAN. Introduced January 20, 1891—

"A bill concerning partition fences in cities and towns"	174
Read first time and referred to Committee on Cities and Towns	174
Reported back and indefinitely postponed	396

No. 142. BY SENATOR HOLLAND. Introduced January 20, 1891—

"A bill to repeal certain sections relating to insanity inquests and committal of insane persons to hospitals"	174
Read first time and referred to Committee on Benevolent Institutions	174
Reported back, recommending passage	199
Read second time	237
Amended	239
Report concurred in	242
Read third time and passed	249
Passed House	567
Correctly enrolled and signed by Lieutenant Governor	694
Filed with Governor	636
Signed by Governor	634

No. 143. BY SENATOR HUDSON. Introduced January 20, 1891—

"A bill for preservation of factory-employed females"	175
Read first time and referred to Committee on Labor and Labor Statistics	175
Reported back recommending passage	197
Read second time	236
Read third time, amended	249
Passed	250
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with Governor	1164
Signed by the Governor	1168

No.	BY SENATOR KENNEDY. Introduced January 20, 1891—	PAGE.
	"A bill to amend section 1987, R. S. 1881, concerning sale or giving of deadly weapons to minors"	175
	Read first time and referred to Committee on Judiciary	175
	Reported back, laid on table	213
No. 145.	BY SENATOR KOPELKE. Introduced January 20, 1891—	
	"A bill for the relief of Moses M. Estey"	175
	Read first time and referred to Committee on Claims	175
	Reported back, referred to Committee on Finance	269
	Reported back recommending passage	431
No. 146.	BY SENATOR LYNN. Introduced January 20, 1891—	
	"A bill fixing court time in the Third Judicial Circuit"	175
	Read first time and referred to Committee on Organization of Courts	175
	Reported back recommending passage	185
	Read second time	185
	Read third time and passed	203
	Passed House	840
	Correctly enrolled, signed by Lieutenant-Governor	882
	Filed with Governor	882
	Signed by Governor	886
No. 147.	BY SENATOR McHUGH. Introduced January 20, 1891—	
	"A bill concerning publication of notices in newspapers"	175
	Read first time and referred to Committee on Judiciary	175
	Reported back recommending passage	208
	Read second time	396
	Read third time and passed	464
	Passed House	957
	Correctly enrolled, signed by Lieutenant-Governor	963
	Filed with Governor	964
	Signed by Governor	1058
No. 148.	BY SENATOR McHUGH. Introduced January 20, 1891—	
	"A bill to amend section 4069, R. S. 1881, concerning aid to construction of railroads by counties"	176
	Read first time and referred to Committee on Judiciary	176
	Reported back	562
No. 149.	BY SENATOR SHOCKNEY. Introduced January 20, 1891—	
	"A bill empowering City Councils to enforce ordinances protecting public health and comfort"	176
	Read first time and referred to Committee on Cities and Towns	176
	Reported back recommending passage	264
	Read second time	418
	Read third time and passed	432
No. 150.	BY SENATOR SHOCKNEY. Introduced January 20, 1891—	
	"A bill amending sections concerning civil causes, approved April 7, 1881"	176
	Read first time and referred to Committee on Organization of Courts	176
	Reported back recommending passage	185
	Read second time, made special order	227
	Failed to pass	562
No. 151.	BY SENATOR SHOCKNEY. Introduced January 21, 1891—	
	"A bill concerning drainage"	188
	Read first time and referred to Committee on Swamp Lands and Drains	188
	Reported back, ordered printed	215
	Read second time	796

No. 152. BY SENATOR GRIFFITH. Introduced January 21, 1891—	PAGE.
“A bill providing for relocation of county seats”	188
Read first time and referred to Committee on Judiciary	188
Reported back with amendments	271, 272
Read second time	370
Read third time and passed	377, 378
Failed to pass House	587
 No. 153. BY SENATOR MOORE. Introduced January 21, 1891—	
“A bill to amend section 5104, Revised Statutes 1881, relating to construction of free gravel roads”	188
Read first time and referred to Committee on Roads	188
Reported back, recommending passage	229
Read second time	267
Read third time and referred to Committee on Phraseology	296
Read third time as amended and passed	331
 No. 154. BY SENATOR ELLISON. Introduced January 21, 1891—	
“A bill concerning receipts and disbursement of public moneys”	188
Read first time and referred to Committee on Judiciary	188
Reported back and referred to Committee on County and Township Business	553
Reported back and indefinitely postponed	1046
 No. 155. BY SENATOR FULK. Introduced January 21, 1891—	
“A bill to repeal certain sections concerning the regulation of insanity inquests, approved April 14, 1881, and March 11, 1889”	189
Read first time and referred to Committee on Benevolent Institutions	189
Reported back and laid on table	369
 No. 156. BY SENATOR CLEMANS. Introduced January 21, 1891—	
“A bill to amend section 978, R. S. 1881, concerning bastardy cases”	189
Read first time and referred to Committee on Judiciary	189
Reported back, indefinite postponement	383
 No. 157. BY SENATOR MOUNT. Introduced January 21, 1891—	
“A bill to provide improvement of drains”	189
Read first time and referred to Committee on Swamp Lands and Drains	189
Reported back substitute	233
Read second time	267
Read third time and passed	332
 No. 158. BY SENATOR McHUGH. Introduced January 21, 1891—	
“A bill for examining and licensing steam engineers”	189
Read first time and referred to Committee on Labor and Labor Statistics	189
Reported back, recommending passage	198
Read second time	388
Read third time and indefinitely postponed	464
 No. 159. BY SENATOR EWING. Introduced January 21, 1891—	
“A bill to provide for publication in daily newspapers, now required in weekly paper.”	190
Read first time and referred to Committee on Printing	190
Reported back, recommending passage	261
Read second time	310

No. 160. BY SENATOR EWING. Introduced January 21, 1891—	PAGE.
“A bill providing payment for judicial officers by County Treasurers”	191
Read first time and referred to Committee on Judiciary	191
Reported back, laid on table	284
Ordered printed	301
Recommitted to Judiciary Committee	370
No. 161. BY SENATOR HOWARD. Introduced January 21, 1891—	
“A bill amending section 5849, R. S. 1881, relating to Clerks of Circuit Courts” . . .	192
Read first time and referred to Committee on Organization of Courts	192
Reported back with amendments	212
Read second time and amended	268
Read third time, title amended	294
Passed	295
Passed House	1153
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with Governor	1164
Signed by the Governor	1168
No. 162. BY SENATOR MAGEE. Introduced January 21, 1891—	
“A bill providing payment for money due for equipment of Eastern and Southern Hospitals”	196
Read first time and referred to Committee on Finance.	196
No. 163. BY SENATOR MOUNT. Introduced January 22, 1891—	
“A bill to prohibit the distribution of obscene literature”	201
Read first time and referred to Committee on Education ”	201
No. 164. BY SENATOR SHOCKNEY. Introduced January 22, 1891—	
“A bill relative to the commencement of term of county officers ”	201
Read first time and referred to Committee on County and Township Business . .	201
Reported back, laid on table	358
No. 165. BY SENATOR SHOCKNEY. Introduced January 22, 1891—	
“A bill fixing compensation of County Commissioners ”	201
Read first time and referred to Committee on Fees and Salaries	201
No. 166. BY SENATOR AKIN. Introduced January 23, 1891—	
“A bill authorizing towns to establish work-houses ”	223
Read first time and referred to Committee on Judiciary	223
Reported back amendment	318
Read second time	352
Read third time and passed	451
No. 167. BY SENATOR FULK. Introduced January 23, 1891—	
“A bill fixing term of court in Tenth Judicial Circuit ”	223
Read first time and referred to Committee on Organization of Courts	223
Reported back recommending passage	228
Read second time, constitutional rules suspended and passed	234, 235
Passed House	345
Correctly enrolled and signed by Lieutenant-Governor	362
Filed with Governor	363
Signed by Governor	364
No. 168. BY SENATOR HANLEY. Introduced January 23, 1891—	
“A bill furnishing flags for schools ”	223
Read first time and referred to Committee on Education	223
Reported back, indefinitely postponed	244

No. 169. BY SENATOR HOESON. Introduced January 23, 1891—	PAGE.
"A bill to amend section 5315, Revised Statutes of 1881, concerning sale of intoxicating liquors"	223
Read first time and referred to Committee on Temperance	223
Reported back and indefinitely postponed	259
No. 170. BY SENATOR HUDSON. Introduced January 23, 1891—	
"A bill limiting amount of taxes levied"	224
Read first time and referred to Committee on County and Township Business	224
Reported back substitute	356
Read second time	426
Read third time and passed	477
Passed House	949
Signed by Lieutenant-Governor	1130
Filed with Governor	1131
Signed by Governor	1122
No. 171. BY SENATOR MORGAN. Introduced January 23, 1891—	
"A bill to amend sections 3434, 3436, Revised Statutes of 1881, concerning colleges, etc."	224
Read first time and referred to Committee on Education	224
Reported back	593
Indefinitely postponed	619
No. 172. BY SENATOR MOUNT. Introduced January 23, 1891—	
"A bill to amend an act providing general system of public schools"	224
Read first time and referred to Committee on Education	224
Reported back	1006
Indefinitely postponed	1246
No. 173. BY SENATOR FOLEY. Introduced January 23, 1891—	
"A bill concerning mortgages on real property"	227
Read first time and referred to Committee on Agriculture	227
Reported back, indefinitely postponed	354
No. 174. BY SENATOR BOYD. Introduced January 23, 1891—	
"A bill to amend section 3610, R. S. 1881, relative to gravel roads"	231
Read first time and referred to Committee on Roads	231
Reported back, indefinitely postponed	306
No. 175. BY SENATOR CHANDLER. Introduced January 23, 1891—	
"A bill to amend section 4 of an act relative to macadamized roads"	231
Read first time and referred to Committee on Roads	231
Reported back recommending passage	306
Read second time	387
Read third time and passed	435
Passed House	1186
Correctly enrolled, signed by Lieutenant-Governor	1198
Filed with Governor	1199
Signed by Governor	1203
No. 176. BY SENATOR CHANDLER. Introduced January 23, 1891—	
"A bill to amend section 2533, R. S. 1881, relation of guardian and ward"	231
Read first time and referred to Committee on Judiciary	231
Reported back recommending passage	394
Read second time	523
Read third time and passed	578
Passed House	958
Correctly enrolled, signed by Lieutenant-Governor	963
Signed by Governor	1069
8—SENATE.	

No. 177. BY SENATOR EWING. Introduced January 23, 1891—	PAGE.
“A bill amending section 2289, R. S. 1881, settlement of decedents’ estates”	231
Read first time and referred to Committee on Judiciary	231
Reported back recommending passage	318
 No. 178. BY SENATOR GILMAN. Introduced January 23, 1891—	
“A bill regulating admission of visitors to Insane Hospitals”	231
Read first time and referred to Committee on Benevolent Institutions	231
Reported back and indefinitely postponed	368
 No. 179. BY SENATOR HUDSON. Introduced January 23, 1891—	
“A bill to amend section 4147 of R. S. of 1881, pertaining to incorporation of street railways”	232
Read first time and referred to Committee on Corporations	232
Reported back, recommending passage	261
Read second time and amended	309
Report of Committee on Phraseology	324
Read third time and passed	366
Passed House	890
Correctly enrolled and signed by Lieutenant Governor	948
Filed with Governor	948
Signed by Governor	1069
 No. 180. BY SENATOR SHOCKNEY. Introduced January 23, 1891—	
“A bill providing for disposition of moneys in hands of County Treasurers”	232
Read first time and referred to Committee on County and Township Business	232
Reported back, recommending passage	358
Read second time	523
Read third time and passed	578
 No. 181. BY SENATOR SHOCKNEY. Introduced January 23, 1891—	
“A bill for examination of insane convicts”	232
Read first time and referred to Committee on Prisons	232
 No. 182. BY SENATOR SMITH. Introduced January 23, 1891—	
“A bill to protect domestic animals”	232
Read first time and referred to Committee on Agriculture	232
Reported back, recommending passage	367
Read second time	530
Read third time and passed	623, 629
Passed House	1067
Signed by Lieutenant-Governor	1080
Signed by Governor	1122
 No. 183. BY SENATOR BOYD. Introduced January 23, 1891—	
“A bill making all turnpikes free in cities”	232
Read first time and referred to Committee on Roads	232
Reported back	485
 No. 184. BY SENATOR EWING. Introduced January 23, 1891—	
“A bill legalizing conveyances made by trustees”	233
Read first time and referred to Committee on Judiciary	233
Reported back, recommending passage	394
Read second time	794

No. 185. BY SENATOR BURKE. Introduced January 23, 1891—	PAGE.
“A bill to amend section 2485 and 2488, Revised Statutes of 1881, regulating apportionment of estates”	252
Read first time and referred to Committee on Judiciary	253
Reported back, recommending passage	285
Read second time	370
Read third time and passed	433
Passed House	955
Correctly enrolled and signed by Lieutenant-Governor	983
Filed with Governor	984
Signed by Governor	1058
 No. 186. BY SENATOR BURKE. Introduced January 23, 1891—	
“A bill amending section 5320, Revised Statutes of 1881, concerning unlawful sale of intoxicating liquors”	253
Read first time and referred to Committee on Judiciary	253
Reported back, recommending passage	395
Read second time	522
Read third time and passed	577
 No. 187. BY SENATOR BOYD. Introduced January 23, 1891—	
“A bill to amend section 7 of an act concerning Custodian of Public Buildings, approved March 5, 1889”	253
Read first time and referred to Committee on Public Buildings	253
 No. 188. BY SENATOR BOYD. Introduced January 23, 1891—	
“A bill legalising town of Fisher's Station”	253
Read first time and referred to Committee on County and Township Business	253
Reported back, constitutional rule suspended, read second and third times, and passed	293
Passed House	826
Correctly enrolled and signed by Lieutenant-Governor	882
Filed with Governor	882
Signed by Governor	886
 No. 189. BY SENATOR BYRD. Introduced January 23, 1891—	
“A bill concerning congressional apportionment”	253
Read first time and referred to Committee on Congressional Apportionment	253
Reported back substitute	645
Read second time	811
Constitutional rule suspended, read second and third times and passed	878, 879
Passed House, with amendments	1111
Concurred in	1113
Correctly enrolled and signed	1131
Governor vetoed	1122
Passed over veto	1123
Passed House over veto	1158
 No. 190. BY SENATOR BYRD. Introduced January 23, 1891—	
“A bill concerning legislative apportionment”	254
Read first time and referred to Committee on Legislative Apportionment	254
 No. 191. BY SENATOR CHANDLER. Introduced January 23, 1891—	
“A bill authorizing the conveyance of certain lands by Board of Trustees of Deaf and Dumb Institution”	254
Read first time and referred to Committee on Benevolent Institutions	254
Reported back, amended, read second time	904, 905
Substitute adopted	1030
Read third time and passed	1154
Passed House	1233
Correctly enrolled, signed by Lieutenant-Governor	1237
Filed with Governor	1237
Signed by Governor	1244

No. 192. BY SENATOR HAYDEN. Introduced January 28, 1891—	PAGE.
"A bill concerning the use of electric power on street railways"	254
Read first time and referred to Committee on Judiciary	254
Reported back amendment	375
Read second time and amended	468
Constitutional rules suspended, read third time and passed	469
Passed House amended	838
House amendments concurred in	896
Correctly enrolled and signed by Lieutenant-Governor	948
Filed with Governor	948
Signed by Governor	999
 No. 193. BY SENATOR HAYDEN. Introduced January 28, 1891—	
"A bill concerning public offenses"	254
Read first time and referred to Committee on Judiciary	254
Reported back, indefinitely postponed	285
 No. 194. BY SENATOR HUBBELL. Introduced January 28, 1891—	
"A bill appointing Commissioner of Savings Banks, Trust Companies, etc."	259
Read first time and referred to Committee on Banks and Banking	259
Reported back, indefinitely postponed	657
 No. 195. BY SENATOR HUDSON. Introduced January 28, 1891—	
"A bill for the relief of Sarah May"	255
Read first time and referred to Committee on Claims	255
Reported back and referred to Committee on Finance	490
Reported back second time	585
Read third time and failed to pass	870, 871
 No. 196. BY SENATOR KOPELKE. Introduced January 28, 1891—	
"A bill defining acts changing existing statutes"	255
Read first time and referred to Committee on Judiciary	255
Reported back recommending indefinite postponement	393
 No. 197. BY SENATOR MAGEE. Introduced January 28, 1891—	
"A bill preventing fraud in sale of goods"	255
Read first time and referred to Committee on Cities and Towns	255
Reported back recommending passage	255
Read second time, constitutional rules suspended, read third time, amended and passed	794, 795, 796
 No. 198. BY SENATOR MAGEE. Introduced January 28, 1891—	
"A bill to amend section 2117, R. S. 1881, concerning public offenses and punish- ment"	256
Read first time and referred to Committee on Agriculture	256
Reported back	488
 No. 199. BY SENATOR MOUNT. Introduced January 28, 1891—	
"A bill to amend section 2201, R. S. 1881, concerning false measurements"	256
Read first time and referred to Committee on Judiciary	256
Reported back, indefinitely postponed	285
 No. 200. BY SENATOR THOMPSON, OF MARION. Introduced January 28, 1891—	
"A bill to amend section 6094, R. S. 1881, for the relief of the poor"	256
Read first time and referred to Committee on Judiciary	256

No. 201. BY SENATOR BYRD. Introduced January 29, 1891—	PAGE.
“A bill establishing certain provisions respecting private corporations”	267
Read first time and referred to Committee on Corporations	267
Reported back, recommending passage	322
Constitutional rules suspended, read second and third times and passed	322, 323
Passed House	377
Signed by Governor	366
 No. 202. BY SENATOR SHANKS. Introduced January 29, 1891—	
“A bill to amend section 6339, R. S. 1881, concerning taxation”	267
Read first time and referred to Committee on Judiciary	267
Reported back, indefinitely postponed	284
 No. 203. BY SENATOR HOLLAND. Introduced January 29, 1891—	
“A bill protecting birds and nests”	267
Read first time and referred to Committee on Agriculture	267
Reported back amended	354
Read second time	524
Read third time, amended and passed	606, 607
Passed House	1057
Correctly enrolled, signed by Lieutenant-Governor	1130
Filed with Governor	1131
Signed by Governor	1121
 No. 204. BY SENATOR FOLEY. Introduced January 29, 1891—	
“A bill paying Warren-Scharf Asphalt Paving Co”	268
Read first time and referred to Committee on Claims	268
Reported back, referred to Finance Committee	490
Reported back	585
Indefinitely postponed	595
 No. 205. BY SENATOR BURKE. Introduced January 29, 1891—	
“A bill for relief of the Supreme Court”	278
Read first time and referred to Committee on Judiciary	278
Reported back recommending passage	284
Read second time, laid on table	391
Reconsidered	398
 No. 206. BY SENATOR ELLISON. Introduced January 30, 1891—	
“A bill to amend an act approved April 14, 1881, concerning public offenses”	287
Read first time and referred to Committee on County and Township Business	287
Reported back substitute	357
Read second time	523
Read third time and passed	579
Notice to reconsider	998
Returned from House	1069
Signed by Governor	1223
 No. 207. BY SENATOR FOLEY. Introduced January 30, 1891—	
“A bill providing for adjustment of grievances between employer and employe”	288
Read first time and referred to Committee on Judiciary	288
Reported back, ordered printed	294
Read second time	370
Referred to Committee on Labor	382
Reported back amended	475, 476
Read third time and passed	513, 514

No. 208. BY SENATOR GRIFFITH. Introduced January 30, 1891—	PAGE.
“A bill defining the Fifth and Seventh Judicial Circuits ”	288
Read first time, constitutional rules suspended, read second and third times and passed	288, 289
Passed House	332
Correctly enrolled, signed by Lieutenant-Governor	363
Filed with Governor	363
Signed by Governor	364
 No. 209. BY SENATOR GRIMES. Introduced January 30, 1891—	
“A bill prescribing services in courts against foreign insurance companies ”	289
Read first time and referred to Committee on Judiciary	289
Reported back, indefinitely postponed	448
 No. 210. BY SENATOR HANLEY. Introduced January 30, 1891—	
“A bill concerning County Commissioners and Prosecuting Attorneys ”	289
Read first time and referred to Committee on Judiciary	289
Reported back recommending indefinite postponement	385
 No. 211. BY SENATOR HOLCOMB. Introduced January 30, 1891—	
“A bill defining the Third Judicial Circuit ”	289
Read first time and referred to Committee on Organization of Courts	289
Reported back	496
 No. 212. BY SENATOR JONES. Introduced January 30, 1891—	
“A bill abolishing Water Trustees in cities of less than five thousand ”	290
Read first time and referred to Committee on Cities and Towns	290
Reported back	491
Read third time and passed	605
Passed House	891
Correctly enrolled, signed by Lieutenant-Governor	962
Filed with Governor	963
Signed by Governor	999
 No. 213. BY SENATOR MCGREGOR. Introduced January 30, 1891—	
“A bill to amend section 3019, R. S. 1891, authorising certain companies to borrow money ”	290
Read first time and referred to Committee on Judiciary	290
Reported back	554
Read second time	631
Read third time and passed	1142
Passed House	1187
Correctly enrolled, signed by Lieutenant-Governor	1196
Filed with Governor	1199
Signed by Governor	1203
 No. 214. BY SENATOR McHUGH. Introduced January 30, 1891—	
“A bill to amend section 3727, R. S. 1881, incorporation of insurance companies ” . .	290
Read first time and referred to Committee on Judiciary	290
Reported back and indefinitely postponed	555
 No. 215. BY SENATOR McHUGH. Introduced January 30, 1891—	
“A bill in relation to actions for libel ”	291
Read first time and referred to Committee on Judiciary	291
Reported back, indefinitely postponed	555

No. 216. BY SENATOR SMITH. Introduced January 30, 1891—	PAGE.
“A bill to amend section 3161, R. S. 1881, incorporation of cities”	290
Read first time and referred to Committee on Cities and Towns	290
Reported back	492
Read second time	572
Read third time and passed	634
Passed House amended	1111
Amendments concurred in	1115
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with Governor	1164
Signed by the Governor	1168
No. 217. BY SENATOR EWING. Introduced January 30, 1891—	
“A bill encouraging breeding of speed horses”	291
Read first time and referred to Committee on Agriculture	291
Reported back, recommending passage	354
Read second time and amended	424
Read third time and passed	436
Passed House	954
Correctly enrolled and signed by Lieutenant-Governor	963
Filed with Governor	964
Signed by Governor	1059
No. 218. BY SENATOR GILMAN. Introduced February 2, 1891—	
“A bill providing for liens against real estate for material furnished”	307
Read first time and referred to Committee on Judiciary	307
Reported back and read second time	848
Read third time and amended	1099
Passed	1100
No. 219. BY SENATOR HAYDEN. Introduced February 2, 1891—	
“A bill regulating pawn-broker business”	307
Read first time and referred to Committee on Judiciary	307
Reported back, recommending passage	395
Read second time	530
Read third time and passed	635
Passed House	1233
Signed by Governor	1247
No. 220. BY SENATOR HAYS. Introduced February 2, 1891—	
“A bill for congressional apportionment”	307
Read first time and referred to Committee on Congressional Apportionment . .	307
No. 221. BY SENATOR KERTH. Introduced February 2, 1891—	
“A bill amending section 3564 of R. S. of 1881, constructing bridges over boundary lines of the State”	308
Read first time and referred to Committee on Cities and Towns	308
No. 222. BY SENATOR LOVELAND. Introduced February 2, 1891—	
“A bill concerning legislative apportionment”	308
Read first time and referred to Committee on Legislative Apportionment . .	308
No. 223. BY SENATOR MCGREGOR. Introduced February 2, 1891—	
“A bill prescribing number of Trustees Indiana University”	308
Read first time and referred to Committee on Education	308
Reported back recommending passage	470
Constitutional rule suspended, read second and third times and passed . . .	470, 471
Passed House	891
Correctly enrolled, signed by Lieutenant-Governor	962
Filed with Governor	963
Signed by Governor	999

No. 224. BY SENATOR MOUNT. Introduced February 2, 1891—	PAGE.
"A bill to prevent deception in dairy products"	306
Read first time and referred to Committee on Agriculture	306
No. 225. BY SENATOR GRIFFITH. Introduced February 2, 1891—	
"A bill to amend section 3905 R. S. 1881, concerning repair of railroad crossings" . .	308
Read first time and referred to Committee on Judiciary	308
No. 226. BY SENATOR JACKSON. Introduced February 2, 1891—	
A bill collecting reports of births, deaths and marriages	309
Read first time and referred to Committee on Public Health	309
Reported back	767
No. 227. BY SENATOR SHOCKNEY. Introduced February 3, 1891—	
"A bill giving Justices of the Peace jurisdiction in certain cases"	330
Read first time and referred to Committee on Judiciary	330
Reported back, indefinitely postponed	392
No. 228. BY SENATOR YARYAN. Introduced February 3, 1891—	
"A bill amending section 2000, R. S. 1881, relating to Sabbath breaking"	336
Read first time and referred to Committee on Judiciary	336
Reported back	394
Read second time	792
No. 229. BY SENATOR HOBSON. Introduced February 3, 1891—	
"A bill providing for thirty years to constitute life-time sentence"	345
Read first time and referred to Committee on State Prisons	345
Reported back	485
Indefinitely postponed	1087
No. 230. BY SENATOR BOYD. Introduced February 3, 1891—	
"A bill to amend section 2227, R. S. 1881, settlement of decedents' estates"	346
Read first time and referred to Committee on Judiciary	346
Reported back, indefinitely postponed	558
No. 231. BY SENATOR BURKE. Introduced February 3, 1891—	
"A bill incorporating abstract title, insurance companies, etc."	346
Read first time and referred to Committee on Judiciary	346
Reported back	563
No. 232. BY SENATOR CASTER. Introduced February 3, 1891—	
"A bill appointing wives guardians of insane husbands' estates"	346
Read first time and referred to Committee on Judiciary	346
Reported back, indefinitely postponed	393
No. 233. BY SENATOR CLEMANS. Introduced February 3, 1891—	
"A bill to amend an act concerning obstructions of drains, approved April 6, 1885" .	346
Read first time and referred to Committee on Swamp Lands	346
Reported back, indefinitely postponed	1242
No. 234. BY SENATOR ELLISON. Introduced February 3, 1891—	
"A bill to amend section 3161, R. S. 1881, incorporation of cities"	347
Read first time and referred to Committee on Cities and Towns	347
Reported back	493

No. 235. BY SENATOR EWING. Introduced February 3, 1891—	PAGE.
"A bill incorporating live stock insurance companies"	347
Read first time and referred to Committee on Insurance	347
Reported back recommending passage	396
Read second time, constitutional rule suspended, read third time and passed .	506, 507
Passed House	1239
Signed by Governor	1249
No. 236. BY SENATOR EWING. Introduced February 3, 1891—	
"A bill to amend section 6466, R. S. 1881, concerning taxation"	347
Read first time and referred to Committee on Finance.	347
No. 237. BY SENATOR FOLEY. Introduced February 3, 1891—	
"A bill for Congressional apportionment"	347
Read first time and referred to Committee on Congressional Apportionment. .	347
No. 238. BY SENATOR FOLEY. Introduced February 3, 1891—	
"A bill concerning taxation"	347
Read first time and referred to Committee on City of Indianapolis	347
Reported back	499
Read second time	793
No. 239. BY SENATOR FOLEY. Introduced February 3, 1891—	
"A bill to amend section 6376 R. S. 1881, concerning taxation"	348
Read first time and referred to Committee on Fees and Salaries	348
No. 240. BY SENATOR FRENCH. Introduced February 3, 1891—	
"A bill for relief of David McWilliams"	348
Read first time and referred to Committee on Claims	348
Reported back and referred to Committee on Finance	551
Read second time, constitutional rules suspended and passed	793, 794
Passed House	1111
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with Governor	1164
Signed by the Governor	1168
No. 241. BY SENATOR FRENCH. Introduced February 3, 1891—	
"A bill to amend sections 1386, 1387, 1388 and 1389, R. S. 1881, concerning juries" .	348
Read first time and referred to Committee on Organization of Courts	348
No. 242. BY SENATOR GRIFFITH. Introduced February 3, 1891—	
"A bill to amend sections 4293 and 4300, R. S. 1881, relating to drainage"	348
Read first time and referred to Committee on Swamp Lands	348
Reported back	486
No. 243. BY SENATOR HANLEY. Introduced February 3, 1891—	
"A bill for relief of James Anderson"	349
Read first time and referred to Committee on Claims	349
Reported back, constitutional rules suspended, read second and third times and passed.	502, 503
Passed House.	826
Correctly enrolled and signed by Lieutenant-Governor	832
Filed with Governor	832
Signed by Governor	836

No. 244. BY SENATOR HARLAN. Introduced February 3, 1891—	PAGE.
“A bill allowing cities and towns to issue bonds ”	350
Read first time and referred to Committee on Cities and Towns	350
Reported back	492
Read second time	794
Read third time and passed	912
 No. 245. BY SENATOR HAYDEN. Introduced February 3, 1891—	
“A bill providing for Natural Gas Inspector ”	350
Read first time and referred to Committee on Natural Gas	350
 No. 246. BY SENATOR HAYS. Introduced February 3, 1891—	
“A bill regulating descent of personal property ”	351
Read first time and referred to Committee on Judiciary	351
Reported back	446
Read second time	524
Read third time and passed	603
Passed House	1239
Signed by Governor	1247
 No. 247. BY SENATOR HAYS. Introduced February 3, 1891—	
“A bill concerning school fund mortgages ”	351
Read first time and referred to Committee on County and Township Business	351
Reported back and referred to Committee on Judiciary	494
Reported back	559
 No. 248. BY SENATOR JACKSON. Introduced February 3, 1891—	
“A bill to amend an act approved March 11, 1889, preventing hauling on roads at certain times ”	351
Read first time and referred to Committee on Roads	351
Reported back	485
Read second time	525
Read third time and passed	633
 No. 249. BY SENATOR KENNEDY. Introduced February 3, 1891—	
“A bill amending act approved March 7, 1887, concerning taxation of building and loan companies ”	351
Read first time and referred to Committee on Finance	351
Reported back and laid on the table	860
 No. 250. BY SENATOR KOPELKE. Introduced February 3, 1891—	
“A bill to amend act approved March 1, 1881, relating to election of church wardens and vestrymen ”	351
Read first time and referred to Committee on Corporations	351
Reported back	493
Read second time	530
Read third time and passed	633
Passed House	1057
Signed by Lieutenant-Governor	1130
Signed by Governor	1122
 No. 251. BY SENATOR LYNN. Introduced February 3, 1891—	
“A bill to amend sections 5709 and 5710, Revised Statutes 1881, concerning election of Reporter of Supreme Court ”	353
Read first time and referred to Committee on Judiciary	352

No. 252. BY SENATOR MCGREGOR. Introduced February 3, 1891—	PAGE.
“A bill to amend section 6343, R. S. 1881, concerning taxation”	352
Read first time and referred to Committee on Judiciary	352
Reported back and referred to Committee on Finance	559
Reported back, laid on the table	861
No. 253. BY SENATOR MCGREGOR. Introduced February 3, 1891—	
“A bill to amend sections 660, 661 and 662, R. S. 1881, proceedings in civil cases” . .	352
Read first time and referred to Committee on Judiciary	352
No. 254. BY SENATOR MCHUGH. Introduced February 3, 1891—	
“A bill repealing section 2339, R. S. 1881, sale of real estate to pay debts by executors”	352
Read first time and referred to Committee on Judiciary	352
Reported back, recommending passage	393
Read second time and amended	797
No. 255. BY SENATOR MCHUGH. Introduced February 3, 1891—	
“A bill to amend an act approved March 9, 1889, relating to Purdue University” . .	353
Read first time and referred to Committee on Agriculture	353
Reported back	487
Read second time	796
No. 256. BY SENATOR KUPELKE. Introduced February 3, 1891—	
“A bill to amend an act approved January 15, 1844, relating to Episcopal Church funds”	353
Read first time and referred to Committee on Corporations	353
Reported back	493
Read second time, amended, constitutional rules suspended, read third time and passed	1137
Passed House	1192
Correctly enrolled and signed by Lieutenant-Governor	1213
Filed with Governor	1213
Signed by Governor	1223
No. 257. BY SENATOR FULK. Introduced February 3, 1891—	
“A bill to amend an act, approved March 5, 1859, relating to assignments”	353
Read first time and referred to Committee on Judiciary	353
Reported back, ordered printed	444
Read second time, indefinitely postponed	523
No. 258. BY SENATOR HOWARD. Introduced February 5, 1891—	
“A bill concerning taxation”	377
Read first time and referred to Committee on Finance	377
Reported back, with substitute	659
Made special order and referred to Committee of the Whole	767
Reported back	820
No. 259. BY SENATOR HUBBELL. Introduced February 5, 1891—	
“A bill giving women privilege to vote”	378
Read first time and referred to Committee on Judiciary	378
Reported back, ordered printed	442
No. 260. BY SENATOR YARIAN. Introduced February 5, 1891—	
“A bill to amend section 6240, R. S. 1881”	383
Read first time and referred to Committee on Benevolent Institutions	383
Reported back, read second time	903
Read third time, amended	1132
Passed	1133

No. 261. BY SENATOR AKIN. Introduced February 5, 1891—	PAGE.
“A bill regulating lending of money”	391
Read first time and referred to Committee on Corporations	391
Reported back	423
No. 262. BY SENATOR BURKE. Introduced February 6, 1891—	
“A bill paying two unpaid warrants”	398
Read first time and referred to Committee on Claims	398
Reported back and referred to Committee on Finance	795
Referred back to Committee on Claims	1024
No. 263. BY SENATOR EWING. Introduced February 6, 1891—	
“A bill authorizing issuing of executions”	398
Read first time and referred to Committee on Judiciary	398
Reported back	447
No. 264. BY SENATOR EWING. Introduced February 6, 1891—	
“A bill requiring record of wills in certain cases”	398
Read first time and referred to Committee on Judiciary	398
Reported back	554
No. 265. BY SENATOR GRIFFITH. Introduced February 6, 1891—	
“A bill to amend an act relative to the sale of intoxicating liquors”	399
Read first time and referred to Committee on Temperance	399
Reported back and indefinitely postponed	659
No. 266. BY SENATOR GRIFFITH. Introduced February 6, 1891—	
“A bill to regulate the practice of pharmacy”	399
Read first time and referred to Committee on Public Health	399
Reported back	565
Read second time	1173
No. 267. BY SENATOR GROSE. Introduced February 6, 1891—	
“A bill to amend section 5198, Revised Statutes 1881, concerning interest and usury”	399
Read first time and referred to Committee on Rights and Privileges	399
Reported back	854
No. 268. BY SENATOR HARLAN. Introduced February 6, 1891—	
“A bill creating Board of Pardons”	399
Read first time and referred to Committee on Prisons	399
Reported back	429
No. 269. BY SENATOR HOWARD. Introduced February 6, 1891—	
“A bill concerning election of Circuit Judges”	400
Read first time and referred to Committee on Judiciary	400
No. 270. BY SENATOR HOWARD. Introduced February 6, 1891—	
“A bill concerning practice in courts”	400
Read first time and referred to Committee on Judiciary	400
Reported back	561
Read second time	793

No. 271. BY SENATOR KOPELKE. Introduced February 6, 1891—	PAGE.
“A bill concerning organisation of manufacturing and mining companies”	480
Read first time and referred to Committee on Judiciary	400
Reported back	554
Read second time	796
Read third time and passed	945, 946
Passed House	1244
Signed by Governor	1249
No. 272. BY SENATOR LOVELAND. Introduced February 6, 1891—	
“A bill concerning county officers”	401
Read first time and referred to Committee on Judiciary	401
Reported back, indefinitely postponed	444
No. 273. BY SENATOR McHUGH. Introduced February 6, 1891—	
“A bill to amend section 3160, R. S. 1881, concerning taxation”	401
Read first time and referred to Committee on Judiciary	401
Reported back	555
No. 274. BY SENATOR MAGEE. Introduced February 6, 1891—	
“A bill concerning piping of natural gas”	401
Read first time and referred to Committee on Judiciary	401
Reported back, ordered printed	445
No. 275. BY SENATOR MAGEE. Introduced February 6, 1891—	
“A bill regulating employment of persons in State Institutions”	401
Read first time and referred to special committee	401
Reported back	420
Read second time	522
Read third time and failed to pass	610, 611
No. 276. BY SENATOR MOORE. Introduced February 6, 1891—	
“A bill concerning legislative apportionment”	401
Read first time and referred to Committee on Legislative Apportionment	401
No. 277. BY SENATOR MOORE. Introduced February 6, 1891—	
“A bill amending section 1449, R. S. 1881, relating to Justices of the Peace”	402
Read first time and referred to Committee on Organization of Courts	402
Reported back	498
No. 278. BY SENATOR MOORE. Introduced February 6, 1891—	
“A bill to amend section 1031, R. S. 1881, concerning divorces”	402
Read first time and referred to Committee on Judiciary	402
Reported back	554
Read second time	796
No. 279. BY SENATOR SHOCKNEY. Introduced February 6, 1891—	
“A bill amending an act concerning mechanics’ liens”	402
Read first time and referred to Committee on Labor	402
Reported back	589
Constitutional rule suspended, read second and third times, and passed	590
No. 280. BY SENATOR SWEENEY. Introduced February 6, 1891—	
“A bill pertaining to purchase of toll roads by counties”	402
Read first time and referred to Committee on County and Township Business	402
Reported back, referred to Committee on Roads	495
Reported back and indefinitely postponed	652

No. 281. BY SENATOR MCGREGOR. Introduced February 6, 1891—	PAGE.
“A bill to prohibit private vaults on river banks”	408
Read first time and referred to Committee on Public Health	408
Reported back	439
No. 282. BY SENATOR EWING. Introduced February 9, 1891—	
“A bill to amend section 5985, R. S. 1881, fixing fees and salaries”	413
Read first time and referred to Committee on Fees and Salaries	413
No. 283. BY SENATOR EWING. Introduced February 6, 1891—	
“A bill to amend section 5985, R. S. 1881, defining powers of constables”	413
Read first time and referred to Committee on Fees and Salaries	413
No. 284. BY SENATOR FRANCIS. Introduced February 9, 1891—	
“A bill relating to building and loan companies”	414
Read first time and referred to Committee on Judiciary	414
Reported back	447
Read second time	523
Read third time, amended and failed to pass for want of a constitutional ma- jority	579, 591
No. 285. BY SENATOR GRIMES. Introduced February 9, 1891—	
“A bill to amend section 4520 of R. S. of 1881, general school system”	414
Read first time and referred to Committee on Education	414
Reported back	498
No. 286. BY SENATOR HAYS. Introduced February 9, 1891—	
“A bill abolishing the State Librarian’s office”	414
Read first time and referred to Committee on Judiciary	414
Reported back and laid on table.	443
No. 287. BY SENATOR HOLLAND. Introduced February 9, 1891—	
“A bill to amend section 2155 of R. S. of 1881, concerning public offenses”	415
Read first time and referred to Committee on Judiciary	415
Reported back	445
Read second time	524
Read third time and passed	604
Passed House	1052
Signed by Governor	1121
No. 288. BY SENATOR KOPELKE. Introduced February 9, 1891—	
“A bill to amend section 1974 of R. S. of 1881, public offenses and punishment”	415
Read first time and referred to Committee on Judiciary	415
Reported back	445
Read second time	526
Amended	529
Read third time and passed	608
No. 289. BY SENATOR SHOCKNEY. Introduced February 9, 1891—	
“A bill to amend section 2360, Revised Statutes of 1881, relating to decedents’ estates”	415
Read first time and referred to Committee on Judiciary	415
No. 290. BY SENATOR SHOCKNEY. Introduced February 9, 1891—	
“A bill amending section 5905, Revised Statutes of 1881”	415
Read first time and referred to Committee on County and Township Business	415
Reported back	495

No. 291. BY SENATOR SMITH. Introduced February 9, 1891—	PAGE.
“A bill appropriating money for south-ern prison sewer”	415
Read first time and referred to Committee on Prisons	415
Reported back	489
Read second time	792
No. 292. BY SENATOR THOMPSON, OF MARION. Introduced February 9, 1891—	
“A bill establishing boards of health in cities”	416
Read first time and referred to Committee on Public Health	416
Reported back and indefinitely postponed	773
No. 293. BY SENATOR THOMPSON, OF PULASKI. Introduced February 9, 1891—	
“A bill fixing term of office for County Auditors and Treasurers”	416
Read first time and referred to Committee on County and Township Business	416
Reported back	494
No. 294. BY SENATOR WIGGS. Introduced February 9, 1891—	
“A bill relating to election of Township Trustees”	416
Read first time and referred to Committee on County and Township Business”	416
Reported back	495
No. 295. BY SENATOR HARLAN. Introduced February 9, 1891—	
“A bill authorizing cities to construct water works, gas and electric light plants”	419
Read first time and referred to Committee on Cities and Towns	419
Reported back	492
House Bill No. 560 substituted	649
No. 296. BY SENATOR AKIN. Introduced February 9, 1891—	
“A bill fixing salaries of prison wardens and deputies”	419
Read first time and referred to Committee on Prisons	419
Reported back	489
Read second time	522
Read third time and passed	576
Passed House	825
Correctly enrolled, signed by Lieutenant-Governor	834
Filed with Governor	834
Signed by Governor	886
No. 297. BY SENATOR BYRD. Introduced February 9, 1891—	
“A bill establishing Board of Children's Guardians”	424
Read first time and referred to Committee on Benevolent Institutions	424
Reported back, read second time	906
Read third time and passed	1067
Passed House	1221
Correctly enrolled, signed by Lieutenant-Governor	1232
Filed with the Governor	1232
Signed by the Governor	1239
No. 298. BY SENATOR FOLEY. Introduced February 9, 1891—	
“A bill defining legal voters at school meetings”	425
Read first time and referred to Committee on Education	425
Reported back, indefinitely postponed	1024
No. 299. BY SENATOR GRIFFITH. Introduced February 10, 1891—	
“A bill concerning highways”	426
Read first time and referred to Committee on Roads	426

No. 300. BY SENATOR YARYAN. Introduced February 10, 1891—	PAGE.
“A bill concerning expert testimony”	426
Read first time and referred to Committee on Judiciary	426
Reported back, indefinitely postponed	848
No. 301. BY SENATOR YARYAN. Introduced February 10, 1891—	
“A bill for the protection of professional men”	427
Read first time and referred to Committee on Judiciary	427
Reported back	553
No. 302. BY SENATOR YARYAN. Introduced February 10, 1891—	
“A bill to amend an act concerning Board of Children’s Guardians”	427
Read first time and referred to Committee on Benevolent Institutions	427
Reported back, indefinitely postponed	906
No. 303. BY SENATOR SHANKS. Introduced February 10, 1891—	
“A bill creating State Board of Railroad and Corporation Commissioners”	428
Read first time and referred to Committee on Judiciary	428
Reported back, referred to Committee on Finance	534
No. 304. BY SENATOR MOUNT. Introduced February 11, 1891—	
“A bill regulating foreign live stock insurance companies”	438
Read first time and referred to Committee on Insurance	438
Reported back	642
Read second time, amended	1069
Constitutional rule suspended, read third time and passed	1070
No. 305. BY SENATOR KENNEDY. Introduced February 11, 1891—	
“A bill creating Board of Claims”	438
Read first time and referred to Committee on County and Township Business	438
Reported back	495
No. 306. BY SENATOR FULK. Introduced February 11, 1891—	
“A bill requiring list of receipts and disbursements in cities to be filed, etc.”	438
Read first time and referred to Committee on Cities and Towns	439
Reported back	588
Read second time	794
Read third time and passed	1205, 1206
No. 307. BY SENATOR McHUGH. Introduced February 11, 1891—	
“A bill authorizing transporting of petroleum”	439
Read first time and referred to Committee on Judiciary	439
Reported back	561
Indefinitely postponed	1143
No. 308. BY SENATOR FOLEY. Introduced February 11, 1891—	
“A bill granting right-of-way through city of Indianapolis”	439
Read first time and referred to Committee on Cities and Towns	439
Reported back, indefinitely postponed	588
No. 309. BY SENATOR FRENCH. Introduced February 11, 1891—	
“A bill to regulate practice of pharmacy”	440
Read first time and referred to Committee on Public Health	440
Reported back	767

No. 310. BY SENATOR HUDSON. Introduced February 11, 1891—	PAGE.
“A bill paying Augustus Bruner”	440
Read first time and referred to Committee on Claims	440
Reported back and referred to Committee on Finance	808
Reported back, read second time	862
Indefinitely postponed	1064
No. 311. BY SENATOR HANLEY. Introduced February 11, 1891—	
“A bill creating the office of County Attorney”	440
Read first time and referred to Committee on Judiciary	440
Reported back and indefinitely postponed	555
Reconsidered.	584
No. 312. BY SENATOR SWEENEY. Introduced February 11, 1891—	
“A bill to amend an act concerning taxation”	440
Read first time and referred to Committee on County and Township Business	440
Reported back	547
No. 313. BY SENATOR KERTH. Introduced February 12, 1891—	
“A bill to amend an act concerning metropolitan police force in cities	457
Read first time and referred to Committee on Cities and Towns	458
Reported back	491
Read second time	810
No. 314. BY SENATOR KERTH. Introduced February 12, 1891—	
“A bill providing for metropolitan police forces in certain cases”	458
Read first time and referred to Committee on Cities and Towns	458
Reported back	490
Read second time	571
Read third time and passed	607
Passed House	1065
Correctly enrolled and signed by Lieutenant-Governor	1164
Filed with Governor.	1164
Became a law without Governor's signature	1224
No. 315. BY SENATOR MAGEE. Introduced February 13, 1891—	
“A bill to amend an act, approved March 17, 1875, concerning liquor traffic”	468
Read first time and referred to Committee on Cities and Towns	468
Reported back and indefinitely postponed	588
No. 316. BY SENATOR HUBBELL. Introduced February 13, 1891—	
“A bill relative to savings banks, management, etc”	478
Read first time and referred to Committee on Banks and Banking	478
Reported back	657
No. 317. BY SENATOR FOLEY. Introduced February 14, 1891—	
“A bill paying E. H. Ketcham money due”	479
Read first time and referred to Committee on Claims	479
Reported back and referred to Committee on Finance	796
Reported back and referred back to Committee on Claims	862
No. 318. BY SENATOR FOLEY. Introduced February 14, 1891—	
“A bill prohibiting stoves in railway coaches”	479
Read first time and referred to Committee on Railroads.	479
Reported back and indefinitely postponed	866

No. 319. BY SENATOR SWEENEY. Introduced February 14, 1891—	PAGE.
“A bill establishing State Board of Charities”	479
Read first time and referred to Committee on Corporations	479
Reported back	538
No. 320. BY SENATOR BURKE. Introduced February 14, 1891—	
“A bill to amend section 3973, Revised Statutes of 1881, permitting consolidation of railway stock”	479
Read first time and referred to Committee on Railroads	479
Reported back and read second time	865
No. 321. BY SENATOR FULK. Introduced February 14, 1891—	
“A bill relating to taxing of wards’ personal property”	480
Read first time and referred to Committee on Judiciary	480
Reported back	553
No. 322. BY SENATOR GILMAN. Introduced February 14, 1891—	
“A bill to amend an act concerning macadamized roads”	480
Read first time and referred to Committee on County and Township Business	480
Reported back, read second time	863
No. 323. BY SENATOR GRIFFITH. Introduced February 14, 1891—	
“A bill enabling Circuit Courts to change time of holding courts”	480
Read first time and referred to Committee on Judiciary	480
Reported back	558
No. 324. BY SENATOR GRIFFITH. Introduced February 14, 1891—	
“A bill providing for the education of the blind”	480
Read first time and referred to Committee on Benevolent Institutions	480
Reported back, indefinitely postponed	904
No. 325. BY SENATOR GRIMES. Introduced February 14, 1891—	
“A bill prohibiting soliciting insurance in certain cases”	480
Read first time and referred to Committee on Insurance	480
Reported back	773
No. 326. BY SENATOR GRIMES. Introduced February 14, 1891—	
“A bill making it unlawful for foreign insurance companies doing business in this State”	480
Read first time and referred to Committee on Insurance	480
Reported back	773
Indefinitely postponed	1167
No. 327. BY SENATOR HAYS. Introduced February 14, 1891—	
“A bill for the relief of County Surveyors”	481
Read first time and referred to Committee on Swamp Lands	481
Reported back	658
No. 328. BY SENATOR HAYS. Introduced February 14, 1891—	
“A bill authorizing County Clerks to release ditch assessments”	481
Read first time and referred to Committee on Swamp Lands	481
Reported back	658

No. 329. BY SENATOR HOLLAND. Introduced February 14, 1891—	PAGE.
“A bill legalizing the town of Osgood”	481
Read first time, constitutional rules suspended, read second and third times and passed	482
Passed House.	574
Correctly enrolled and signed by Lieutenant-Governor	597
Filed with Governor	630
Signed by Governor	634
 No. 330. BY SENATOR HOWARD. Introduced February 14, 1891—	
“A bill regulating education of deaf and dumb”	482
Read first time and referred to Committee on Finance.	482
Reported back	500
Read second time, constitutional rules suspended, read third time and passed	1072
Passed House	1186
Correctly enrolled and signed by Lieutenant-Governor	1213
Filed with Governor	1213
Signed by Governor	1223
 No. 331. BY SENATOR HUBBELL. Introduced February 14, 1891—	
“A bill subjecting private banks to State control”	483
Read first time and referred to Committee on Banks and Banking	483
Reported back	656
 No. 332. BY SENATOR HUDSON. Introduced February 14, 1891—	
“A bill regulating granting of franchises by cities”	483
Referred to Committee on Cities and Towns	483
Reported back, read second time	589
Read third time and passed	1210
 No. 333. BY SENATOR LOVELAND. Introduced February 14, 1891—	
“A bill for the relief of Rhoda Carson”	483
Read first time and referred to Committee on Judiciary	483
Reported back substitute	557
 No. 334. BY SENATOR McHUGH. Introduced February 14, 1891—	
“A bill providing bond of executors in certain cases”	483
Read first time and referred to Committee on Judiciary	483
Reported back	552
 No. 335. BY SENATOR EWING. Introduced February 14, 1891—	
“A bill protecting professional men in certain cases”	483
Read first time and referred to Committee on Judiciary	483
Reported back, indefinitely postponed	558
 No. 336. BY SENATOR EWING. Introduced February 14, 1891—	
“A bill concerning expert testimony”	483
Read first time and referred to Committee on Judiciary	483
Reported back, indefinitely postponed	556
 No. 337. SENATOR EWING. Introduced February 17, 1891—	
“A bill empowering married women to convey separate their real estate”	534
Read first time and referred to Committee on Judiciary	531
Reported back and read second time	848

No. 338. BY SENATOR MAGEE. Introduced February 18, 1891—	PAGE.
"A bill authorizing State loan "	564
Read first time and referred to Committee on Finance	565
Reported back	591
Constitutional rules suspended, read second and third times and passed	592
Passed House amended	1207
Amendments concurred in	1213
Signed by Governor	1223
No. 339. BY SENATOR CHANDLER. Introduced February 18, 1891—	
"A bill concerning lands purchased for Fairview Academy "	565
Read first time and referred to Committee on County and Township Business	565
Reported back	653
Indefinitely postponed	802
No. 340. BY SENATOR ELLISON. Introduced February 18, 1891—	
"A bill concerning superintendent of schools "	565
Read first time and referred to Committee on Education	565
Reported back	592
Read second time	793
Read third time and passed	870
No. 341. BY SENATOR EWING. Introduced February 18, 1891—	
"A bill defining the Eighth and Eighteenth Judicial Circuits "	565
Read first time and referred to Committee on Judiciary	565
Recalled and referred to Committee on Organization of Courts	593
Read third time	1174
No. 342. BY SENATOR EWING. Introduced February 18, 1891—	
"A bill providing for World's Fair Commission "	565
Read first time	565
Reported back	566
Read second time and amended	806
Constitutional rules suspended, read third time and passed	834
Passed House amended	1085, 1153
Conference Committee appointed	1161
Reported back	1192
Second Conference Committee appointed	1201
Reported back	1209
Correctly enrolled and signed by Lieutenant-Governor	1237
Filed with Governor	1237
Signed by the Governor	1244
No. 343. BY SENATOR FRENCH. Introduced February 18, 1891—	
"A bill preventing overcharges on railroads "	566
Read first time and referred to Committee on Railroads	566
Reported back, read second time	864
Read third time and passed	1081
No. 344. BY SENATOR FULK. Introduced February 18, 1891—	
"A bill requiring railways to give notice of late trains "	566
Read first time and referred to Committee on Railroads	566
Reported back, indefinitely postponed	865
No. 345. BY SENATOR FULK. Introduced February 18, 1891—	
"A bill recording of deeds covering right of way of railroads "	566
Read first time and referred to Committee on Railroads	568
Reported back, read second time	866, 867

No. 346. BY SENATOR GILMAN. Introduced February 18, 1891—	PAGE.
“A bill pertaining to life convicts”	567
Read first time and referred to Committee on Prisons	567
Reported back, indefinitely postponed	1037
No. 347. BY SENATOR GILMAN. Introduced February 18, 1891—	
“A bill amending an act relating to common school system”	567
Read first time and referred to Committee on Education.	567
Reported back	657
No. 348. BY SENATOR HARLAN. Introduced February 18, 1891—	
“A bill amending section 5749, R. S. 1881”	567
Read first time and referred to Committee on Judiciary	567
No. 349. BY SENATOR HOLCOMB. Introduced February 18, 1891—	
“A bill regulating time of holding court in Eleventh Judicial Circuit”	567
Read first time, constitutional rules suspended	567
Read second and third times and passed	568
Passed House	1205
Correctly enrolled, signed by Lieutenant-Governor	1213
Filed with Governor	1213
Signed by Governor	1223
No. 350. BY SENATOR LYNN. Introduced February 18, 1891—	
“A bill regulating time of holding court in Eleventh Judicial Circuit”	568
Read first time	568
Constitutional rules suspended, read second and third times and passed	569
Passed House	1141
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with Governor	1164
Signed by the Governor	1168
No. 351. BY SENATOR MAGEE. Introduced February 18, 1891—	
“A bill amending an act approved March 8, 1890, concerning power of School Trustees”	570
Read first time and referred to Committee on Cities and Towns	570
Reported back	658
Read second time, constitutional rules suspended, read third time and passed	1144
No. 352. BY SENATOR MORGAN. Introduced February 18, 1891—	
“A bill concerning real estate owned by the State”	570
Read first time and referred to Committee on Agriculture	570
No. 353. BY SENATOR THOMPSON, OF PULASKI. Introduced February 18, 1891—	
“A bill amending section 1764, R. S. 1881, concerning civil procedure”	570
Read first time and referred to Committee on Judiciary	570
Reported back, indefinitely postponed	847
No. 354. BY SENATOR YARYAN. Introduced February 18, 1891—	
“A bill to repeal an act concerning cruelty to animals”	570
Read first time and referred to Committee on Judiciary	570
Reported back	847
No. 355. BY SENATOR THOMPSON, OF PULASKI. Introduced February 18, 1891—	
“A bill paying W. H. Drapier for brevier legislative reports”	571
Read first time and referred to Committee on Claims	571
Reported back and referred to Committee on Finance	798
Referred back to Committee on Claims	1024

No. 356. BY SENATOR THOMPSON, OF HUNTINGTON. Introduced February 19, 1891—		PAGE.
“A bill providing for vacation of cemeteries in certain cases”		611
Read first time and referred to Committee on Judiciary		611
Reported back, read second time		847
No. 357. BY SENATOR KENNEDY. Introduced February 11, 1891—		
“A bill amending an act approved May 11, 1861, concerning militia companies” . . .		611
Read first time and referred to Committee on Military Affairs		612
Reported back, read second time		868
Read third time and passed		1136
No. 358. BY SENATOR THOMPSON, OF PULASKI. Introduced February 19, 1891—		
“A bill concerning World's Fair”		612
Read first time and referred to Committee on World's Fair		612
Reported back, indefinitely postponed		944
No. 359. BY SENATOR HUBBELL. Introduced February 20, 1891—		
“A bill relating to duties of telegraph and telephone companies”		625
Read first time and referred to Committee on Judiciary		625
Reported back		939
Read second time		940
No. 360. BY SENATOR SHANKS. Introduced February 20, 1891—		
“A bill concerning purchase of gravel and plank roads”		625
Read first time and referred to Committee on Roads		625
Reported back		652
No. 361. BY SENATOR GRIMES. Introduced February 20, 1891—		
“A bill paying certain moneys for the Soldiers' and Sailors' Monument”		625
Read first time and referred to Committee on Claims		625
No. 362. BY SENATOR YARYAN. Introduced February 20, 1891—		
“A bill concerning practice of medicine and surgery”		643
Read first time and referred to Committee on Public Health		643
Reported back, indefinitely postponed		1047
No. 363. BY SENATOR YARYAN. Introduced February 21, 1891—		
“A bill for relief of Samuel Williams”		651
Read first time and referred to Committee on County and Township Business . .		651
Recalled and referred to Committee on Claims		809
Reported back, read second time		868
Read third time and passed		1081
Passed House		1140
Correctly enrolled, signed by Lieutenant-Governor		1164
Filed with Governor		1164
Signed by the Governor		1167
No. 364. BY SENATOR YARYAN. Introduced February 21, 1891—		
“A bill enforcing education”		651
Read first time and referred to Committee on Education		651
No. 365. BY SENATOR SHANKS. Introduced February 21, 1891—		
“A bill concerning repairs of gravel roads”		652
Read first time and referred to Committee on Roads		653
Reported back		859

No. 366. BY SENATOR SHANKS. Introduced February 21, 1891—	PAGE.
“A bill concerning general system of road construction”	652
Read first time and referred to Committee on Roads	652
No. 367. BY SENATOR HUBBELL. Introduced February 23, 1891—	
“A bill defining duties of County Commissioners in connection with ditches”	783
Read first time and referred to Committee on Judiciary	783
Reported back, read second time	944
No. 368. BY SENATOR GILMAN. Introduced February 23, 1891—	
“A bill discouraging white capism”	783
Read first time and referred to Committee on Rights and Privileges	783
Reported back, indefinitely postponed	869
No. 369. BY SENATOR MOUNT. Introduced February 23, 1891—	
“A bill concerning land surveys”	783
Read first time and referred to Committee on Judiciary	783
Reported back, read second time	1022
No. 370. BY SENATOR LOVELAND. Introduced February 23, 1891—	
“A bill appointing Commission, simplifying transferring of land, etc”	783
Read first time and referred to Committee on Judiciary	783
Reported back, indefinitely postponed	1022
No. 371. BY SENATOR SMITH. Introduced February 24, 1891—	
“A bill concerning annexation of lands to towns or cities”	797
Read first time and referred to Committee on Cities and Towns	797
Reported back, read second time	869
No. 372. BY SENATOR SHOCKNEY. Introduced February 24, 1891—	
“A bill for relief of Isaac V. D. R. Johnson”	801
Read first time and referred to Committee on County and Township Business	801
Reported back, read second time	866
Read third time and passed	1030
Passed House	1058
Correctly enrolled, signed by Lieutenant-Governor	1066
Filed with Governor	1067
Signed by the Governor	1110
No. 373. BY SENATOR FOLEY. Introduced February 27, 1891—	
“A bill amending an act concerning proceedings in civil cases”	837
Read first time and referred to Committee on Judiciary	837
Reported back	1022
No. 374. BY SENATOR THOMPSON, OF PULASKI. Introduced February 27, 1891—	
“A bill amending an act concerning proceedings in criminal cases”	837
Read first time and referred to Committee on Judiciary	837
Reported back, read second time	1021
Read third time, amended	1151
Passed	1152
No. 375. BY SENATOR CHANDLER. Introduced February 27, 1891—	
“A bill authorizing consolidation of natural and artificial gas companies”	837
Read first time and referred to Committee on Natural Gas	837
Reported back, read second time	1051

No. 376. BY SENATOR LOVELAND. Introduced March 4, 1891—	PAGE.
"A bill concerning Fee and Salary Bill"	1078
Read first time	1078
Read second time and indefinitely postponed	1162
 No. 377. BY SENATOR EWING. Introduced March 5, 1891—	
"A bill abolishing Board of Trustees Eastern Indiana Hospital for Insane"	1119
Read first time, constitutional rules suspended, read second and third times and passed	1119, 1120
Correctly enrolled, signed by Lieutenant-Governor	1135
Filed with Governor	1155
Vetoed by Governor	1161
Passed over veto	1162
Passed House over veto	1185
 No. 378. BY SENATOR KOPELKE. Introduced March 9, 1891—	
"A bill governing the reformatory, penal and charitable institutions"	1227
Read first time and referred to Committee on Benevolent Institutions	1227
 No. 379. BY SENATOR KENNEDY. Introduced March 9, 1891—	
"A bill concerning fees and salaries of officers"	1249
Read first time and indefinitely postponed	1250

HOUSE BILLS IN THE SENATE.

No.1. BY MR. HARRELL. Received January 16, 1891—	PAGE.
“A bill appropriating money to cover expenses of General Assembly”	140
Read first time and referred to Committee on Finance	140
Reported back with substitute	145
Report adopted	157
Read second time	157
Constitutional rules suspended	158
Read third time	158
Passed	158
Correctly enrolled, and signed by Lieutenant-Governor	197
Filed with the Governor.	197
No.2. BY MR. ERWIN. Received February 5, 1891—	
“A bill to amend act concerning public officers”	390
Read first time and referred to Committee on Judiciary	403
Reported back, indefinitely postponed	448
No.5. BY MR. HENCH. Received February 11, 1891—	
“A bill providing punishment for stolen property”	450
Read first time and referred to Committee on Judiciary	501
Reported back, indefinitely postponed	849
No.8. BY MR. MATSON. Received February 11, 1891—	
“A bill relating to toll rates”	450
Read first time and referred to Committee on Federal Relations	501
Reported back, read second time	855
Read third time, failed to pass	1082
No.12. BY MR. WORK. Received January 29, 1891—	
“A bill authorizing appointment of Justices of Peace”	270
Read first time and referred to Committee on Judiciary	282
Reported back amended	394
Read second time	403
Read third time and passed	805, 806
Correctly enrolled, signed by Lieutenant-Governor	882
Filed with Governor.	883
No.13. BY MR. CARROLL. Received February 5, 1891—	
“A bill regulating weighing of coal”	378
Read first time and referred to Committee on Labor	386
Recommitted to Committee on Mines and Mining	424
Reported back	774
Read second time, amended	872
Constitutional rules suspended, read third time and passed	873

No. 21. BY MR. CLAYPOOL. Received January 13, 1891—

PAGE.

"A bill to legalize the sale of certain lands in Fayette County"	74
Read first time	74
Constitutional rules suspended	74
Read second and third times and passed	75
Lieutenant-Governor signed	93

No. 22. BY MR. KELLEY. Received February 11, 1891—

"A bill securing better wages to workmen"	451
Read first time and referred to Committee on Judiciary	501
Reported back, indefinitely postponed	560
Reconsidered	573
Read second time	791
Read third time	878
Amended	918
Failed to pass for want of constitutional majority	925
Failed for want of constitutional majority	1170

No. 24. BY MR. LEYDEN. Received February 19, 1891—

"A bill concerning incorporation of cities"	587
Read first time and referred to Committee on Cities and Towns	614
Reported back, read second time	854
Constitutional rules suspended, read third time, amended and passed	1145
Correctly enrolled, signed by Lieutenant-Governor	1213

No. 25. BY MR. LEYDEN. Received January 29, 1891—

"A bill regulating court time in 52d Judicial Circuit"	270
Read first time and referred to Committee on Organization of Courts	281
Reconsidered, constitutional rules suspended, read second and third times	291
Passed, title amended	292
Correctly enrolled, signed by Lieutenant-Governor	381
Filed with Governor	381

No. 29. BY MR. MOON. Received February 4, 1891—

"A bill concerning obstruction of ditches"	365
Read first time and referred to Committee on Swamp Lands	385
Reported back	487
Read second time	648
Read third time and passed	789
Correctly enrolled, signed by Lieutenant-Governor	882
Filed with Governor	883

No. 31. BY MR. BRYANT. Received January 14, 1891—

"A bill to legalize the incorporation of the town of Patoka."	
Received from House	84
Read first time	96
Constitutional rules suspended	96
Read second and third times	96
Passed	97
Enrolled bill correct	114
Lieutenant-Governor signed	114

No. 42. BY MR. THIENES. Received February 17, 1891—

"A bill providing labels, trade-marks, etc."	519
Read first time and referred to Committee on Labor	618
Reported back	653
Read second time, constitutional rules suspended, read third time and passed	1124
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with Governor	1164

No. 44. BY MR. McCULLOUGH. Received February 16, 1891—	PAGE.
“A bill providing charter for city of Indianapolis ”	514
Read first time and referred to Committee on Affairs of City of Indianapolis	515
Reported back amendments	925
Read second time	933
Constitutional rules suspended, read third time and passed	961, 967, 968
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with Governor	1164
No. 45. BY MR. McCULLOUGH. Received February 18, 1891—	
“A bill allowing cities to build natural gas works ”	574
Read first time and referred to Committee on Affairs of City of Indianapolis	616
No. 55. BY MR. ZOERCHER. Received February 3, 1891—	
“A bill regulating indebtedness of counties ”	333
Read first time and referred to Committee on County and Township Business	339
Reported back	494
Read second time	777
Read third time and passed	805
Correctly enrolled, signed by Lieutenant-Governor	882
Filed with Governor	882
No. 62. BY MR. FAULKNER. Received February 5, 1891—	
“A bill concerning wearing of G. A. R. badges ”	378
Read first time and referred to Committee on Military Affairs	385
Reported back, read second time	529
Read second time	650
Read third time and passed	791
Correctly enrolled and signed by Lieutenant-Governor	882
Filed with Governor	883
No. 66. BY MR. BROWN, OF STEUBEN. Received February 23, 1891—	
“A bill concerning drainage ”	777
Read first time and referred to Committee on Drains and Drainage	800
Reported back, read second time	867
Read third time and passed	1069
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with Governor	1164
No. 67. BY MR. BROWN, OF STEUBEN. Received January 29, 1891—	
“A bill concerning public offenses ”	271
Read first time and referred to Committee on Judiciary	281
Reported back	559
Read second time, constitutional rule suspended, read third time and passed	1116
Correctly enrolled, signed by Lieutenant-Governor	1213
Filed with Governor	1214
No. 69. BY MR. BEASLEY. Received February 11, 1891—	
“A bill to prevent dealing in margins on grain ”	449
Read first time and referred to Committee on Federal Relations	501
Reported back, read second time	859
No. 70. BY MR. FIPPEN. Received February 5, 1891—	
“A bill concerning deputy County Surveyors ”	374
Read first time and referred to Committee on Judiciary	384
Reported back	448
Read second time	526
Read third time and passed	785
Correctly enrolled, signed by Lieutenant-Governor	882
Filed with Governor	883

No. 72. BY MR. CALVERT. Received March 6, 1891—	PAGE.
“A bill concerning flagmen at railway crossings”	1159
Read first time and referred to Committee on Judiciary	1159
Reported back and read second time	1192
Constitutional rules suspended, read third time and passed	1219
Correctly enrolled and signed by Lieutenant-Governor	1225
Filed with Governor	1225
 No. 73. MR. CALVERT. Received February 28, 1891—	
“A bill for the incorporation of boards for the relief of ministers of the Gospel”	909
Read first time, constitutional rules suspended, read second and third times and passed	909, 910
 No. 74. BY MR. NOLAN. Received February 19, 1891—	
“A bill concerning Southern Indiana Hospital for Insane”	602
Read first time and referred to Committee on Claims	615
Reported back and referred to Committee on Finance	809
Reported back, constitutional rules suspended, read second and third times and passed	941
Correctly enrolled and signed by Lieutenant-Governor	1012
Filed with Governor	1012
 No. 86. BY MR. VOIGT. Received January 29, 1891—	
“A bill concerning filling of offices by Mayors, City Clerks, etc.”	270
Read first time and referred to Committee on Cities and Towns	281
Reported back, recommending passage	306
Read second time	648
Read third time and passed	788
Correctly enrolled and signed by Lieutenant-Governor	882
Filed with Governor	883
 No. 87. BY MR. VOIGT. Received January 29, 1891—	
“A bill legalising acts of Notaries Public”	279
Read first time and referred to Committee on Judiciary	281
Reported back, recommending passage	398
 No. 88. BY MR. SHORT. Received February 3, 1891—	
“A bill concerning public offenses”	332
Read first time and referred to Committee on Judiciary	338
Reported back	560
Read second time, constitutional rules suspended, read third time, amended and passed	1147, 1148
 No. 95. BY MR. CARROLL. Received February 19, 1891—	
“A bill regulating heating of passenger cars”	606
Read first time and referred to Committee on Judiciary	615
 No. 103. BY MR. HARRELL. Received January 30, 1891—	
“A bill to amend section 2931, R. S. 1881, concerning real property”	287
Read first time and referred to Committee on Judiciary	302
Reported back	447
 No. 110. BY MR. CULLOP. Received February 26, 1891—	
“A bill concerning common carriers, etc.”	839
Read first time and referred to Committee on Judiciary	875

No. 111. BY MR. FOWLER. Received February 5, 1891—	PAGE.
“A bill concerning taxation of lands in cities”	390
Read first time and referred to Committee on Judiciary	403
Reported back, ordered printed	443
Read second time, amended	649
Read third time and passed	1131
Correctly enrolled, signed by Lieutenant-Governor	1213
Filed with Governor	1214
No. 114. BY MR. ROBBINS. Received March 6, 1891—	
“A bill exempting Union soldiers and sailors from working on public highways”	1140
Read first time and referred to Committee on Military Affairs	1141
No. 118. BY MR. ZOERCHER. Received January 14, 1891—	
“A bill legalizing the acts of the Board of Trustees of Troy.”	
Received from House	84
Read first time and referred to Committee on Cities and Towns	99
Reported back recommending passage	264
Be not printed	264
Read second time	396
Read third time and passed	767
Correctly enrolled, signed by Lieutenant-Governor	822
Filed with Governor	883
No. 119. BY MR. ADER. Received January 14, 1891—	
“A bill legalizing the incorporation of the town of Carpentersville.”	
Received from House	84
Read first time and referred to Committee on Cities and Towns	99
Reported back recommending passage	263
Be not printed	264
Read second time	680
Read third time and passed	790
Correctly enrolled, signed by Lieutenant-Governor	882
Filed with Governor	883
No. 120. BY MR. ADER. Received March 6, 1891—	
“A bill concerning duties and compensation of Supreme Court Reporter”	1140
Read first time and referred to Committee on Judiciary	1141
Reported back, read second time	1173
Read third time and passed	1210
Correctly enrolled, signed by Lieutenant-Governor	1225
Filed with Governor	1225
No. 121. BY MR. STONE. Received February 25, 1891—	
“A bill requiring depots to be provided by railways”	826
Read first time and referred to Committee on Railroads	835
Reported back	1150
No. 124. BY MR. FIPPEN. Received January 15, 1891—	
“A bill requiring Auditor of State to make deed and deliver to L. H. Mott.	
Received from House	103
Read first time	111
Constitutional rule suspended, read second and third times, and passed	112
Correctly enrolled	197
Lieutenant-Governor signed	197
Filed with Governor	197

No. 125. BY MR. NOLAN. Received February 26, 1891—

PAGE.

"A bill fixing salaries certain county officers"	838
Read first time and referred to Committee on Judiciary.	874
Reported back, read second time	1021
Read third time and passed	1136
Correctly enrolled, signed by Lieutenant-Governor	1174
Filed with Governor	1175

No. 129. BY MR. LINDEMUTH. Received February 26, 1891—

"A bill requiring Secretary of State to collect certain fees"	877
Read first time and referred to Committee on Finance.	881
Reported back, constitutional rule suspended, read second and third times, and passed	916, 917
Correctly enrolled, signed by Lieutenant-Governor	1012
Filed with Governor	1012

No. 130. BY MR. LINDEMUTH. Received March 2, 1891—

"A bill concerning copies of articles of incorporation"	956
Read first time and referred to Committee on Judiciary	1000
Reported back, read second time	1114
Read third time and passed	1215
Correctly enrolled, signed by Lieutenant-Governor	1225
Filed with Governor	1225

No. 133. BY MR. HENCH. Received February 17, 1891—

"A bill concerning taxation of Indian lands"	519
Read first time and referred to Committee on Judiciary	620
Reported back, indefinitely postponed	845

No. 136. BY MR. MOSS. Received February 17, 1891—

"A bill concerning weighing of coal at mines"	518
Read first time and referred to Committee on Mines and Mining	619
Reported back, indefinitely postponed	905

No. 139. BY MR. CARROLL. Received February 18, 1891—

"A bill authorizing County Commissioners to levy assessment"	575
Read first time and referred to Committee on Roads	616
Reported back, constitutional rules suspended, read second and third times and failed to pass.	857, 858

No. 152. BY MR. MORRIS, OF HENRY. Received February 3, 1891—

"A bill protecting sorghum industry"	326
Read first time and referred to Committee on Agriculture.	338
Reported back	487
Read second time	777
Read third time and passed	1212

No. 164. BY MR. NOLAN. Received February 4, 1891—

"A bill paying Jacob Covert money due"	365
Read first time and referred to Committee on Claims	385
Reported back and referred to Committee on Finance	803
Reported back and read second time	861

No. 166. BY MR. HAGGART. Received February 5, 1891—	PAGE.
“A bill relating to Trustees of Purdue University”	300
Read first time and referred to Committee on Education	403
Reported back	499
Read second time	777
Read third time and passed	787, 788
Correctly enrolled and signed by Lieutenant-Governor	882
Filed with Governor	883
No. 172. BY MR. LEYDEN. Received January 29, 1891—	
“A bill ceding jurisdiction over national cemeteries”	269
Read first time and referred to Committee on Federal Relations	281
Reported back	486
No. 173. BY MR. CURTIS. Received February 3, 1891—	
“A bill to prevent adulteration of candy”	333
Read first time and referred to Committee on Public Health	337
Reported back and indefinitely postponed	550
No. 176. BY MR. BRANSTETTER. Received February 20, 1891—	
“A bill authorizing counties and cities to fund their indebtedness”	631
Read first time and referred to committee on Cities and Towns	640
Reported back and read second time	855
No. 181. BY MR. SLEEPER. Received January 16, 1891—	
“A bill to legalize the town of Fowler”	123
Read first time	123
Laid on the table	124
Read second time	153
Constitutional rules suspended	154
Read third time and referred to special committee to amend	154
Reported back amended	154
Passed	155
Correctly enrolled and signed by the Lieutenant-Governor	205
Filed with Governor	206
No. 182. BY MR. CLAYPOOL. Received January 14, 1891—	
“A bill legalizing the town of Knightstown”	111
Read first time	113
Constitutional rules suspended, read second and third times and passed	113
Correctly enrolled and signed by Lieutenant-Governor	197
Filed with Governor	197.
No. 184. BY MR. CURTIS. Received February 11, 1891—	
“A bill concerning assignments of personal property”	451
Read first time and referred to Committee on Corporations	500
Reported back	528
Read second time, constitutional rules suspended, read third time and passed	1079
Correctly enrolled and signed by Lieutenant-Governor	1164
Filed with Governor	1164
No. 186. BY MR. ROBBINS. Received February 26, 1891—	
“A bill concerning bank officers”	837
Read first time and referred to Committee on Banks and Banking	874
Reported back and read second time	1037
Amended, constitutional rules suspended, read second and third times and passed	1138, 1139
Correctly enrolled and signed by Lieutenant-Governor	1225
Filed with Governor	1225.

No. 187. BY MR. MACK. Received February 3, 1891—	PAGE.
“A bill to pay Fred Laakmann ”	333
Read first time and referred to Committee on Claims	338
Reported back and referred to Committee on Finance	798
Reported back and read second time	862
Read third time and passed	1125
Correctly enrolled and signed by Lieutenant-Governor	1174
Filed with Governor	1175
No. 188. BY MR. MACK. Received February 3, 1891—	
“A bill paying Laakmann & Sherer claim ”	326
Read first time and referred to Committee on Claims	337
Reported back and referred to Committee on Finance	808
Reported back and read second time	862
Read third time and passed	1079
Correctly enrolled and signed by Lieutenant-Governor	1164
Filed with Governor	1164
No. 215. BY MR. EBERT. Received January 16, 1891—	
“A bill legalizing the town of Hammond ”	123
Read first time	124
Constitutional rules suspended, read second and third times and passed	125
Correctly enrolled and signed by Lieutenant-Governor	191
Filed with the Governor	197
No. 217. BY MR. LINDEMUTH. Received January 30, 1891—	
“A bill to regulate and license pawn-brokers ”	286
Read first time and referred to Committee on Judiciary	302
Reported back, recommending passage	396
No. 226. BY MR. GENT. Received January 29, 1891—	
“A bill legalizing the town of Clifford ”	270
Read first time and referred to Committee on Cities and Towns	281
Reported back, recommending passage	397
Read second time, constitutional rules suspended, read third time and passed	581, 582
Correctly enrolled and signed by Lieutenant-Governor	805
Filed with Governor	805
No. 229. BY MR. WORK. Received February 17, 1891—	
“A bill concerning enclosures, trespassing animals, etc ”	518
Read first time and referred to Committee on Agriculture	617
Reported back and read second time	1086
Read third time and passed	1198
Correctly enrolled and signed by Lieutenant-Governor	1225
Filed with Governor	1225
No. 238. BY MR. ROBBINS. Received February 20, 1891—	
“A bill concerning the battle flags ”	632
Read first time and referred to Committee on Military Affairs	640
Reported back, read second time	1083
Constitutional rules suspended, read third time and passed	1084
Correctly enrolled, signed by Lieutenant-Governor	1071
Filed with Governor	1072
No. 244. BY MR. BRANSTETTER. Received February 20, 1891—	
“A bill regulating practice of medicine ”	622
Read first time and referred to Committee on Public Health	640
Reported back, read second time	1046
Correctly enrolled, signed by Lieutenant-Governor	1225
Filed with Governor	1225

No. 251. BY MR. TRIMBLE. Received January 20, 1891—	PAGE.
“A bill legalizing the town of Leavenworth ”	172
Read first time and referred to Committee on Cities and Towns	172
Reported back, recommending passage	263
Be not printed	264
No. 252. BY MR. THIENES. Received February 19, 1891—	
“A bill concerning mechanics’ liens ”	593
Read first time and referred to Committee on Labor	616
Reported back	780
Read second time, constitutional rules suspended and passed	791, 792
Correctly enrolled, signed by Lieutenant-Governor	808
Filed with Governor	808
No. 253. BY MR. HENCH. Received February 19, 1891—	
“A bill amending section 1895, R. S. 1881 ”	587
Read first time and referred to Committee on Judiciary	615
Reported back, read second time	849
No. 254. BY MR. SLEEPER. Received February 3, 1891—	
“A bill concerning cutting hedge fences ”	326
Read first time and referred to Committee on Roads	337
Reported back	485
Read second time	649
Read third time and amended	789
Passed	790
Correctly enrolled and signed by Lieutenant-Governor	882
Filed with Governor	883
No. 259. BY MR. TEAL. Received March 2, 1891—	
“A bill concerning elections ”	956
Read first time and referred to Committee on Elections	1004
Reported back, constitutional rules suspended, read second and third times and passed	1082
Correctly enrolled and signed by Lieutenant-Governor	1155
Filed with Governor	1155
No. 260. BY MR. MOON. Received January 30, 1891—	
“A bill creating State Supervisor of Oil Inspection ”	286
Read first time and referred to Committee on Mines and Mining	301
Reported back, recommending passage	359
Read third time and passed	609
Correctly enrolled and signed by Lieutenant-Governor	865
Filed with Governor	805
Governor vetoed	828
Passed notwithstanding Governor’s objections	831
No. 261. BY MR. CURTIS. Received March 5, 1891—	
“A bill appointing Probate Commissioners by Circuit Judges ”	1110
Read first time and referred to Committee on Judiciary	1113
Reported back and read second time	1128
Constitutional rules suspended, read third time and passed	1129
Correctly enrolled and signed by Lieutenant-Governor	1174
Filed with Governor	1175

No. 264. BY MR. CULLOP. Received February 26, 1891—

PAGE.

"A bill for relief of William M. Myers"	877
Read first time and referred to Committee on Claims	881
Reported back and referred to Committee on Finance	1064
Reported back, read second time	1128
Read third time and passed	1184
Correctly enrolled, signed by Lieutenant-Governor	1213
Filed with Governor	1214

No. 268. BY MR. THIENES. Received February 5, 1891—

"A bill licensing cigarette dealers"	374
Read first time and referred to Committee on Public Health	386
Reported back	499
Read second time	650
Majority report concurred in	768
Indefinitely postponed	776

No. 269. BY MR. MACK. Received February 16, 1891—

"A bill concerning Boards of School Commissioners"	515
Read first time and referred to Committee on Affairs of City of Indianapolis	516
Reported back	523
Read second time	650
Read third time and passed	784
Correctly enrolled, signed by Lieutenant-Governor	882
Filed with Governor	883

No. 270. BY MR. MACK. Received February 16, 1891—

"A bill concerning common school system"	515
Read first time and referred to Committee on Affairs of City of Indianapolis	516
Reported back	527
Read second time	650
Read third time and passed	787
Correctly enrolled, signed by Lieutenant-Governor	882
Filed with Governor	883

No. 274. BY MR. FOWLER. Received February 26, 1891—

"A bill concerning gas mixers"	837
Read first time and referred to Committee on Natural Gas	874
Reported back, read second time	1061
Read third time, amended and passed	1149
Correctly enrolled, signed by Lieutenant-Governor	1225
Filed with Governor	1225

No. 275. BY MR. ADER. Received February 24, 1891—

"A bill affecting salaries of county and State officers"	802
Read first time and referred to Committee on Fees and Salaries	807
Reported back with amendments	835
Referred to special committee	946
Reported back with amendments	973
Constitutional rule suspended, read second and third times and passed	995, 996
Conference committee appointed	1063
Reported back	1157
Governor vetoed	1234
Passed over veto	1237

No. 278. BY MR. KESTER. Received January 21, 1891—

"A bill to legalize the acts of Notaries Public"	190
Read first time and referred to Committee on Judiciary	190
Reported back with amendment	317

No. 281. BY MR. HENCH. Received February 5, 1891—	PAGE.
"A bill concerning Superior and Criminal Courts"	379
Read first time and referred to Committee on Organisation of Courts	384
Reported back, read second time	642
No. 286. BY MR. LINDEMUTH. Received January 30, 1891	286
No. 289. BY MR. GLESSNER. Received February 4, 1891—	
"A bill defining person of unsound mind"	365
Read first time and referred to Committee on Judiciary	385
Reported back, indefinitely postponed	448
No. 292. BY MR. CURTIS. Received February 23, 1891—	
"A bill concerning foreign building and loan companies"	889
Read first time and referred to Committee on Corporations	913
No. 293. BY MR. SHORT. Received January 30, 1891—	
"A bill concerning House of Refuge"	286
Read first time and referred to Committee on Benevolent Institutions	301
Reported back amendments	369
No. 295. BY MR. CULLOP. Received March 5, 1891—	
"A bill concerning carrying of passengers"	1086
Read first time and referred to Committee on Railroads	1086
No. 296. BY MR. CLAYPOOL. Received February 3, 1891—	
"A bill purchasing native live stock for State institutions"	332
Read first time and referred to Committee on Agriculture	338
Reported back and indefinitely postponed	1039
No. 297. BY MR. THIENES. Received February 23, 1891—	
"A bill making Labor Day a legal holiday"	889
Read first time and referred to Committee on Labor	915
Reported back and read second time	1051
Read third time and passed	1215
Correctly enrolled and signed by Lieutenant-Governor	1225
Filed with Governor	1225
No. 299. BY MR. FIPPEN. Received February 23, 1891—	
"A bill enabling land owners to cancel assessments"	890
Read first time and referred to committee on Judiciary	915
Reported back and read second time	1020
Read third time and passed	1199
Correctly enrolled and signed by Lieutenant-Governor	1225
Filed with Governor	1225
No. 302. BY MR. PATTON. Received February 17, 1891—	
"A bill encouraging agriculture"	519
Read first time and referred to Committee on Agriculture	620
Reported back and indefinitely postponed	1036
No. 305. BY MR. MORRIS, OF HENRY. Received February 5, 1891—	
"A bill relating to proceedings in civil cases"	379
Read first time and referred to Committee on Judiciary	386
Reported back	446

No. 309. BY MR. JOHNSON, OF CARROLL. Received February 5, 1891—	PAGE.
“A bill providing for change of venue”	379
Read first time and referred to Committee on Judiciary	386
Reported back	556
Read second time, amended	643, 644
Read third time and passed	786
Correctly enrolled, signed by Lieutenant-Governor	882
Filed with Governor	883
No. 312. BY MR. CULLOP. Received February 11, 1891—	
“A bill concerning public offenses”	449
Read first time and referred to Committee on Judiciary	501
Reported back	559
No. 315. BY MR. OLDHAM. Received February 23, 1891—	
“A bill concerning grain dealers”	888
Read first time and referred to Committee on Agriculture	914
Reported back, indefinitely postponed	1197
No. 320. BY MR. KYLE. Received March 4, 1891—	
“A bill relating to electors’ qualifications”	1088
Read first time and referred to Committee on Elections	1088
Reported back, read second time	1088
Read third time and passed	1202
Correctly enrolled, signed by Lieutenant-Governor	1225
Filed with Governor	1225
No. 326. BY MR. BEASLEY. Received February 4, 1891—	
“A bill concerning officers of State institutions”	365
Read first time and referred to Committee on Judiciary	386
Reported back, amended	445
Read second time, constitutional rule suspended, read third time and passed 1120, 1121	
Correctly enrolled, signed by Lieutenant-Governor	1213
Filed with Governor	1214
No. 327. BY MR. BEASLEY. Received March 9, 1891—	
“A bill providing payment of certain moneys due on Eastern and Southern Hospi- tals”	1240
Read first time and referred to Committee on Finance	1241
Reported back, constitutional rules suspended, read second and third times and passed	1240, 1241
No. 332. BY MR. GLESSNER. Received February 19, 1891—	
“A bill establishing natural gas inspector”	586
Read first time and referred to Committee on Natural Gas	618
Reported back, read second time	890
Read third time and failed to pass	1130
Reconsidered	1167
Read third time and passed	1178, 1179
Correctly enrolled, signed by Lieutenant-Governor	1213
Filed with Governor	1214
Governor vetoed	1242
Passed over veto	1244
No. 335. BY MR. TROY. Received March 5, 1891—	
“A bill concerning granting of liquor licenses”	1082
Read first time and referred to Committee on City of Indianapolis	1083
Reported back, read second time	1180
Constitutional rule suspended, read third time and passed	1181
Correctly enrolled, signed by Lieutenant-Governor	1225
Filed with Governor	1225

No. 336. BY MR. FIPPEN. Received February 19, 1891—	PAGE.
“A bill relating to decedents’ estates”	586
Read first time and referred to Committee on Judiciary	616
Reported back, read second time	848
Read third time and passed	1200
Correctly enrolled, signed by Lieutenant-Governor	1225
Filed with Governor	1225
 No. 339. BY MR. STONE. Received February 20, 1891—	
“A bill concerning unexpended taxes”	632
Read first time and referred to Committee on Roads	641
Reported back	859
 No. 343. BY MR. BEIGLER. Received February 18, 1891—	
“A bill concerning high schools”	574
Read first time and referred to Committee on Organization of Courts	619
Reported back	776
Read second time	778
Read third time and passed	1019
Correctly enrolled and signed by Lieutenant-Governor	1155
Filed with Governor	1155
 No. 344. BY MR. HEATHMAN. Received February 3, 1891—	
“A bill concerning Eleventh Judicial Circuit”	326
Read first time and referred to Committee on Organization of Courts	338
Reported back	496
Read second time	778
Read third time and passed	1153
Correctly enrolled and signed by Lieutenant-Governor	1174
Filed with Governor	1175
 No. 355. BY MR. ZOERCHER. Received February 17, 1891—	
“A bill for the relief of Perry County”	518
Read first time and referred to Committee on Claims	618
Reported back and referred to Committee on Finance	799
Reported back and read second time	861
Read third time and passed	896
Correctly enrolled and signed by Lieutenant-Governor	957
Filed with Governor	962
 No. 356. BY MR. ZOERCHER. Received February 17, 1891—	
“A bill authorizing sale of certain lands”	519
Read first time and referred to Committee on Corporations	614
Reported back	641
Read second time	778
Read third time and passed	935
Correctly enrolled and signed by Lieutenant-Governor	1012
Filed with Governor	1012
 No. 357. BY MR. CURTIS. Received February 26, 1891—	
“A bill vacating cemeteries in cities and towns”	838
Read first time and referred to Committee on City of Indianapolis	876
Reported back, read second time	911
Read third time and passed	1150
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with Governor	1164

No. 359. BY MR. MOON. Received February 26, 1891—	PAGE.
"A bill appropriating money for education of blind"	876
Read first time and referred to Committee on Benevolent Institutions	880
Reported back, read second time	903
Read third time and passed	1123
Correctly enrolled, signed by Lieutenant-Governor	1174
Filed with Governor	1175
No. 362. BY MR. OPPENHEIM. Received February 3, 1891—	
"A bill providing distribution of decedents' estates"	326
Read first time, constitutional rules suspended, read second and third times	328
Passed	329
Correctly enrolled	363
Signed by Lieutenant-Governor	363
Filed with Governor	363
No. 363. BY MR. ROBBINS. Received February 26, 1891—	
"A bill concerning hotel and boarding-house keepers"	890
Read first time and referred to Committee on Federal Relations"	913
Reported back	1177
Indefinitely postponed	1226
No. 386. BY MR. CURTIS. Received February 5, 1891—	
"A bill paying Warren-Scharf Asphalt Paving Co."	374
Read first time and referred to Committee on Claims	396
Reported back, referred to Committee on Finance	551
Reported back	597
Constitutional rules suspended, read second and third times and passed	596
Correctly enrolled, signed by Lieutenant-Governor	805
Filed with Governor	805
No. 388. BY MR. INMAN. Received February 26, 1891—	
"A bill concerning the recording of wills"	838
Read first time and referred to Committee on Judiciary	876
Reported back	1020
Correctly enrolled, signed by Lieutenant-Governor	1225
Filed with Governor	1225
No. 391. BY MR. VOIGHT. Received February 26, 1891—	
"A bill concerning 4th Judicial Circuit"	840
Read first time and referred to Committee on Organization of Courts	871
Reported back, constitutional rules suspended	871
Read second and third times and passed	872
Correctly enrolled, signed by Lieutenant-Governor	963
Filed with Governor	963
No. 394. BY MR. CULLOP. Received February 20, 1891—	
"A bill concerning jury trials"	631
Read first time and referred to Committee on Organization of Courts	640
Reported back, read second time	776
Read third time and passed	1183
Correctly enrolled, signed by Lieutenant-Governor	1213
Filed with Governor	1214
No. 397. BY MR. PATTON. Received January 20, 1891—	
"A bill legalizing town of Saltilloville"	287
Read first time and referred to Committee on Cities and Towns	302
Reported back recommending passage	396
Read second time	778
Read third time and passed	1148
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with Governor	1164

No. 398. BY MR. CARROLL. Received March 3, 1891—	PAGE.
“A bill concerning wearing of badges”	998
Read first time and referred to Committee on Military Affairs	1005
Reported back, constitutional rules suspended, read second and third times and passed	1101
No. 399. BY MR. PETERS. Received February 20, 1891—	
“A bill concerning Township Trustees”	631
Read first time and referred to Committee on County and Township Business	641
Reported back, indefinitely postponed	1045
Correctly enrolled and filed	1245
No. 400. BY MR. HENCH. Received March 3, 1891—	
“A bill concerning Soldiers’ and Sailors’ Monument”	971
Read first time and referred to Committee on Finance	1004
Reported back, read second time	1080
Read third time and passed	1135
No. 401. BY MR. PARKER, OF HENDRICKS. Received February 26, 1891—	
“A bill for relief of Thomas Nichols”	877
Read first time and referred to Committee on County and Township Business	881
Reported back, indefinitely postponed	1175, 1176
No. 402. BY MR. PICKHARDT. Received February 28, 1891—	
“A bill concerning manufacturing and mining companies”	890
Read first time and referred to Committee on Corporations	914
Reported back, read second time	1023
Read third time and passed	1191
Correctly enrolled, signed by Lieutenant-Governor	1213
Filed with Governor	1225
Notice to reconsider	1231
No. 409. BY MR. BERNETHY. Received February 11, 1891—	
“A bill relating to shooting of ducks”	452
Read first time and referred to Committee on County and Township Business	502
Reported back	547
Read second time	777
No. 418. BY MR. BEASLEY. Received March 5, 1891—	
“A bill concerning insurance companies”	1082
Read first time and referred to Committee on Insurance	1082
Reported back, indefinitely postponed	1177
No. 424. BY MR. LINDEMUTH. Received March 3, 1891—	
“A bill concerning Park Commissioners”	964
Read first time and referred to Committee on Cities and Towns	1001
Reported back and read second time	1048
Read third time and passed	1080
Correctly enrolled and signed by Lieutenant-Governor	1155
Filed with Governor	1155
No. 431. BY MR. LEYDEN. Received February 18, 1891—	
“A bill authorizing loan and trust companies”	574
Read first time and referred to Committee on Judiciary	618
Reported back and amended	846
Read second time	846
Read third time, constitutional rules suspended, and indefinitely postponed	1169

No. 432. BY MR. KILGORE. Received February 26, 1891—	PAGE.
“A bill relating to Superintendent of Insane Hospitals”	876
Read first time and referred to Committee on Benevolent Institutions	880
Reported back and indefinitely postponed	908
No. 440. BY MR. CURTIS. Received February 25, 1891—	
“A bill relating to legislative apportionment”	827
Read first time and referred to Committee on Legislative Apportionment	836
Reported back	898
Read second time, constitutional rules suspended, read third time and passed	1007, 1008, 1009, 1010
Correctly enrolled and signed by Lieutenant-Governor	1071
Filed with Governor	1072
Governor vetoed	1104
Passed notwithstanding the Governor's objections	1119
No. 442. BY MR. CURTIS. Received February 28, 1891—	
“A bill relating to Hendricks' Monument”	916
Read first time and referred to Committee on Judiciary	1000
Reported back and read second time	1114
Read third time and passed	1169, 1170
Correctly enrolled and signed by Lieutenant-Governor	1213
Filed with Governor	1214
No. 444. BY MR. TEAL. Received February 28, 1891—	
“A bill concerning drains in cities”	889
Read first time and referred to Committee on Cities and Towns	915
Reported back and read second time	1049
Constitutional rules suspended, read third time and passed	1050
Correctly enrolled and signed by Lieutenant-Governor	1164
Filed with Governor	1164
No. 448. BY MR. MACK. Received March 3, 1891—	
“A bill creating Trustees of Firemen's Pension Fund”	905
Read first time and referred to Committee on Cities and Towns	1003
Reported back and read second time	1048
Read third time and passed	1205
No. 454. BY MR. INMAN. Received February 10, 1891—	
“A bill regulating liability of corporations for personal injuries”	433
Read first time and referred to Committee on Labor	434
Reported back and referred to Committee on Judiciary	654
Reported back substitute	849
Read second time	851
Read third time and passed	970
Conference committee appointed	1088, 1149
No. 462. BY MR. NOLAN. Received March 5, 1891—	
“A bill concerning general school system”	1081
Read first time and referred to Committee on Education	1083
No. 466. BY MR. HENCH. Received February 28, 1891—	
“A bill authorizing actuaries of insurance companies to administer oaths”	839
Read first time and referred to Committee on Insurance	874
Reported back, indefinitely postponed	1083
Notice to reconsider	1086
Returned from House	1099
Reconsidered, constitutional rules suspended, read second and third times and passed	1226, 1237
Correctly enrolled, signed by Lieutenant-Governor	1237
Filed with Governor	1237

No. 480. BY MR. McCULLOUGH. Received February 28, 1891—	PAGE.
“A bill legalizing sales of real estate by executors”	888
Read first time and referred to Committee on Judiciary	913
Reported back, read second time	1020
Read third time and passed	1211
No. 484. BY MR. HARRELL. Received February 25, 1891—	
“A bill concerning the selling of bonds by counties”	826
Read first time and referred to Committee on County and Township Business	835
Reported back, read second time	837
Read third time and passed	913
Correctly enrolled, signed by Lieutenant-Governor	1071
Filed with Governor	1072
No. 486. BY MR. MOSS. Received February 19, 1891—	
“A bill for relief of John W. White”	602
Read first time and referred to Committee on County and Township Business	619
Reported back	772
Read second time, constitutional rules suspended, read third time and passed, 774, 775	775
Correctly enrolled, signed by Lieutenant-Governor	963
Filed with Governor	963
No. 487. BY MR. OPPENHEIM. Received February 25, 1891—	
“A bill concerning taxation”	834
Read first time and referred to Committee on Finance	835
Reported back, amendments	841
Read second time	845
Constitutional rules suspended, read second and third times and passed	857
Referred to Conference Committee	892
Reported back	921
Report adopted	939
No. 488. BY MR. CURTIS. Received March 2, 1891—	
“A bill concerning money due W. F. Gansbay”	958
Read first time and referred to Committee on Claims	1004
Reported back, read second time	1181
Constitutional rules suspended, read third time and passed	1182
Correctly enrolled, signed by Lieutenant-Governor	1213
Filed with Governor	1214
No. 492. BY MR. ROBBINS. Received February 28, 1891—	
“A bill to legalize the town of Macy”	916
Read first time and referred to Committee on Cities and Towns	1000
Reported back, read second time	1048
Constitutional rules suspended, read third time and passed	1134
No. 495. BY MR. CLAYPOOL. Received February 17, 1891—	
“A bill concerning voluntary associations”	519
Read first time and referred to Committee on Judiciary	614
Reported back, amended	847
Read second time	847
Read third time, failed for want of constitutional majority	1213
Reconsidered and passed	1218
Correctly enrolled, signed by Lieutenant-Governor	1225
Filed with Governor	1225
No. 498. BY MR. FOWLER. Received February 19, 1891—	
“A bill concerning Madison County Agricultural Society”	586
Read first time and referred to Committee on Agriculture	615
Reported back	784
Read second time	1084
Constitutional rules suspended, read third time and passed	1084

No. 504. BY MR. HAGGART. Received March 3, 1891—	PAGE.
“A bill concerning Purdue University”	965
Read first time and referred to Committee on Judiciary	1002
Reported back, read second time	1115
No. 509. BY MR. ERWIN. Received February 3, 1891—	
“A bill concerning town plats”	965
Read first time and referred to Committee on Cities and Towns	1001
Reported back, read second time	1127
Read third time, amended and passed	1215
Correctly enrolled, signed by Lieutenant Governor	1225
Filed with Governor	1225
No. 511. BY MR. CARROLL. Received February 23, 1891—	
“A bill for relief of Thomas Wilson”	576
Read first time and referred to Committee on Judiciary	579
Reported back, indefinitely postponed	1022
Reconsidered	1149
Referred back from House	1151
Report non-concurred in, constitutional rules suspended, read second and third times and passed	1204, 1205
Correctly enrolled, signed by Lieutenant-Governor	1225
Filed with Governor	1225
No. 518. BY MR. LEE. Received March 2, 1891—	
“A bill concerning State Normal Schools”	950
Read first time and referred to Committee on Education	1001
Reported back, read second time	1042
Read third time and passed	1098
Correctly enrolled, signed by Lieutenant-Governor	1155
Filed with Governor	1155
No. 519. BY MR. NOLAN. Received February 19, 1891—	
“A bill concerning voluntary associations”	602
Read first time and referred to Committee on Corporations	619
Reported back	772
Read second time, constitutional rules suspended	1228
Amended, read third time and passed	1238
No. 528. BY MR. KYLE. Received March 2, 1891—	
“A bill concerning the employment of physicians and surgeons for the township poor”	950
No. 530. BY MR. OPPENHEIM. Received February 23, 1891—	
“A bill relating to manufacturing and mining companies”	916
Read first time and referred to Committee on Corporations	1001
Reported back and read second time	1023
Read third time and passed	1151
Correctly enrolled and signed by Lieutenant-Governor	1174
Filed with Governor	1175
No. 531. BY MR. KERN. Received March 3, 1891—	
“A bill authorizing County Commissioners to make donations”	970
Read first time and referred to Committee on Military Affairs.	1000
Reported back	1173
Read second time, constitutional rules suspended, read third time and passed	1225
Correctly enrolled and signed by Lieutenant-Governor	1237
Filed with Governor	1237

No. 539. BY MR. CURTIS. Received February 17, 1891—	PAGE.
“A bill concerning street railway companies”	529
Read first time and referred to Committee on Cities and Towns	620
Reported back	853
No. 540. BY MR. BAKER. Received March 2, 1891—	
“A bill legalizing the town of Rockport”	950
Read first time and referred to Committee on Cities and Towns	1044
Reported back, read second time	1126
Read third time and passed	1209, 1210
No. 543. BY MR. FIPPEN. Received March 2, 1891—	
“A bill concerning incorporation of cities”	958
Read first time and referred to Committee on Cities and Towns	999
Reported back, read second time	1127
Read third time and passed	1201
Correctly enrolled, signed by Lieutenant-Governor	1225
Filed with Governor	1225
No. 544. BY MR. FIPPEN. Received March 9, 1891—	
“A bill to prevent waste of natural gas”	1239
Read first time	1250
No. 550. BY MR. McCULLOUGH. Received March 6, 1891—	
“A bill for the relief of G. M. Ballard”	1140
Read first time and referred to Committee on Claims	1141
No. 552. BY MR. CALLICUTT. Received February 11, 1891—	
“A bill to legalize the town of Scottsborough”	451
Read first time and referred to Committee on Cities and Towns	502
Reported back	558
Read second time	1085
Constitutional rules suspended, read third time and passed	1086
Correctly enrolled, signed by Lieutenant-Governor	1155
No. 553. BY MR. SHORT. Received February 26, 1891—	
“A bill appropriating money for laundry at Reform School”	839
Read first time and referred to Committee on Benevolent Institutions	875
Reported back and read second time	904
Read second time, constitutional rules suspended, read third time and passed	905
Correctly enrolled and signed by Lieutenant-Governor	1012
Filed with Governor	1012
No. 554. BY MR. MATTHEWS. Received February 26, 1891—	
“A bill authorizing State Board of Agriculture to hold real estate”	839
Read first time and referred to Committee on Agriculture	875
Reported back and indefinitely postponed	1197
No. 558. BY MR. BEASLEY. Received February 19, 1891—	
“A bill concerning text school books”	586
Read first time and referred to Committee on Education	613
Reported back	656
Read second time	910
Read third time and passed	1071
Correctly enrolled and signed by Lieutenant-Governor	1130
Filed with Governor	1131

No. 559. BY MR. VOIGT. Received February 23, 1891—	PAGE.
“A bill to legalize Sheriffs’ and Administrators’ sales”	808
Read first time and referred to Committee on Judiciary	914
Reported back and read second time	1019
Read third time and passed	1121
Correctly enrolled and signed by Lieutenant-Governor	1174
Filed with Governor	1175
No. 560. BY MR. FIPPEN. Received February 17, 1891—	
“A bill concerning operation of water-works, electric light plants, etc.”	549
Read first time and referred to Committee on Cities and Towns	630
Returned to House, by request of same	656
No. 564. BY MR. LINDEMUTH. Received February 26, 1891—	
“A bill concerning Board of Children’s Guardians”	876
Read first time and referred to Committee on Cities and Towns	880
Reported back, read second time	1049
Read third time, indefinitely postponed	1214
No. 565. BY MR. BERNETHY. Received March 4, 1891—	
“A bill authorizing companies laying pipes”	1039
Read first time and referred to Committee on Natural Gas	1060
Read second time, constitutional rules suspended, read third time and passed	1143
No. 568. BY MR. HESS. Received February 23, 1891—	
“A bill concerning the care of battle flags”	809
Read first time and referred to Committee on Military Affairs	914
Reported back, read second time	1024
Constitutional rules suspended, read third time and passed	1055
No. 570. BY MR. NOLAN. Received February 19, 1891—	
“A bill establishing Board of Public Works”	602
Read first time and referred to Committee on Cities and Towns	617
Reported back	658
Read second time	924
Read third time and passed	1128
No. 578. BY MR. TIMMONS. Received March 3, 1891—	
“A bill concerning drainage”	964
Read first time and referred to Committee on Swamp Lands and Drains	1008
Reported back, read second time, constitutional rules suspended, read third time and passed	1041
No. 595. BY MR. SLEEPER. Received March 2, 1891—	
“A bill concerning agents of unauthorized insurance companies”	955
Read first time and referred to Committee on Insurance	1000
Reported back and read second time	1054
No. 596. BY MR. SLEEPER. Received March 2, 1891—	
“A bill concerning foreign insurance companies”	949
Read first time and referred to Committee on Insurance	1044
Reported back and read second time	1128
Read third time and passed	1167
Correctly enrolled and signed by Lieutenant-Governor	1213
No. 601. BY MR. HENCH. Received March 4, 1891—	
“A bill concerning incorporated towns”	1058
Read first time and referred to Committee on Cities and Towns	1059
Reported back and read second time	1127

No. 602. BY MR. GENT. Received March 5, 1891—	PAGE.
“A bill concerning railroad companies”	1081
Read first time, and referred to Committee on Judiciary	1083
Reported back and indefinitely postponed	1202
No. 607. BY MR. LEYDEN. Received February 18, 1891—	
“A bill legalising town of Greenville”	563
Read first time, constitutional rule suspended, read second and third times and passed	591
Correctly enrolled, signed by Lieutenant-Governor	805
Filed with Governor	805
No. 611. BY MR. CURTIS. Received March 2, 1891—	
“A bill concerning School Commissioners”	955
Read first time and referred to Committee on Education	1004
Reported back, read second time	1042
Read third time and passed	1165
No. 612. BY MR. ADER. Received March 2, 1891—	
“A bill paying Augustus Bruner”	955
Read first time and referred to Committee on Claims	1001
Reported back and referred to Committee on Finance	1054
Reported back, constitutional rule suspended	1101
Read second and third times and passed	1102
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with Governor	1164
No. 618. BY MR. MOSS. Received March 3, 1891—	
“A bill for the relief of David Marshal and others”	996
Read first time and referred to Committee on County and Township Business	1003
Reported back, read second time	1175
Constitutional rule suspended, read third time and passed	1179, 1180
Correctly enrolled, signed by Lieutenant-Governor	1213
Filed with Governor	1214
No. 620. BY MR. CALLICUTT. Received February 25, 1891—	
“A bill re-locating county seats”	810
Read first time and referred to Committee on County and Township Business	836
Reported back and referred to Judiciary Committee	864
Reported back	940
Indefinitely postponed	1056
No. 624. BY MR. CLAYPOOL. Received February 23, 1891—	
“A bill authorizing sale of certain lands in Rush County”	777
Read first time, constitutional rule suspended, read second and third times and passed	800, 801
Correctly enrolled, signed by Lieutenant-Governor	1012
Filed with Governor	1012
No. 625. BY MR. GLESSNER. Received March 3, 1891—	
“A bill concerning Board of Commissioners”	999
Read first time and referred to Committee on Organization of Courts	1005
Reported back, indefinitely postponed	1176
No. 626. BY MR. CULLOP. Received February 26, 1891—	
“A bill concerning charter of Terre Haute Railroad”	877
Read first time and referred to Committee on Education	881
Reported back	1228

No. 628. BY MR. TRIMBLE. Received March 4, 1891—	PAGE.
"A bill legalizing town of Marengo"	1044
Read first time and referred to Committee on Judiciary	1044
Reported back, read second time	1114
No. 636. BY MR. NOLAN. Received February 28, 1891—	
"A bill extending franchises"	889
Read first time and referred to Committee on Cities and Towns	915
Reported back, constitutional rules suspended, read second time and third time	1078
Correctly enrolled, signed by Lieutenant-Governor	1175
Filed with Governor	1155
No. 638. BY MR. LINDEMUTH. Received March 4, 1891—	
"A bill for relief of Samuel Williams"	1062
Read first time and referred to Committee on County and Township Business	1063
Reported back, read second time	1177
No. 640. BY MR. ZOERCHER. Received February 25, 1891—	
"A bill authorizing Tell City to sell certain grounds"	826
Read first time and referred to Committee on Cities and Towns	836
Recalled and referred to Committee on County and Township Business	845
No. 645. BY MR. OPPENHEIM. Received March 6, 1891—	
"A bill making appropriations for State government"	1172
Read first time and referred to Committee on Finance	1173
Committee of the Whole	1185
Reported back amendments	1193, 1196
Constitutional rules suspended, read second and third times and passed	1196
Conference Committee appointed	1208
Reported back, concurred in	1220, 1221
No. 648. BY MR. CULLOP. Received February 28, 1891—	
"A bill concerning drainage"	921
Read first time and referred to Committee on Drains and Drainage	1043
Reported back, read second time	1064
Constitutional rules suspended, read third time and passed	1065
Correctly enrolled, signed by Lieutenant-Governor	1164
Filed with Governor	1164
No. 652. BY MR. BEASLEY. Received February 28, 1891—	
"A bill concerning State Prison South"	921
Read first time and referred to Committee on Judiciary	1014
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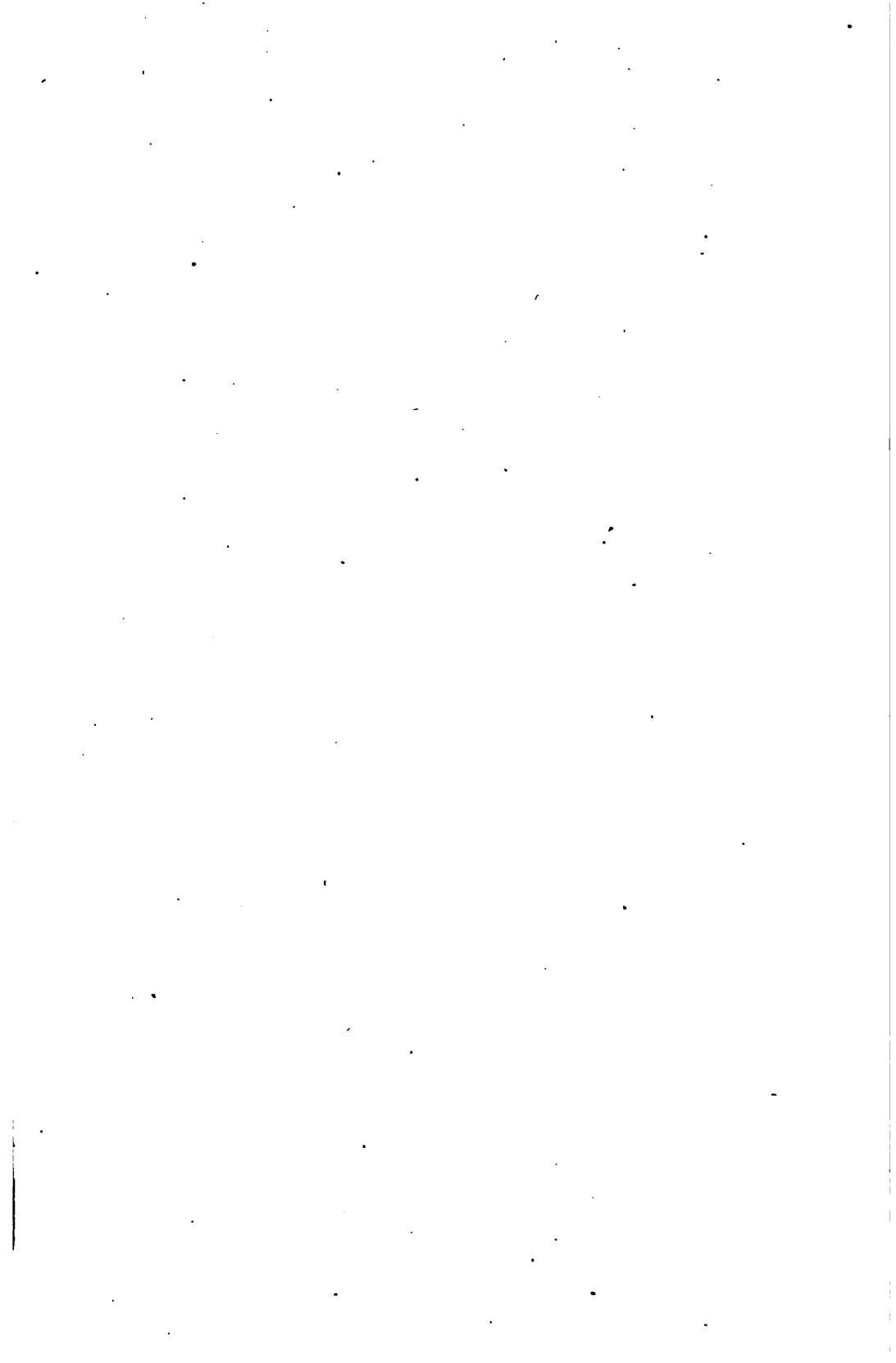
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ERRATA.

Page 508, line 17, the figures No. 70 should be No. 90.

Page 846, in line 9, Representative Hayden should be Leyden.

Also, same page, line 25, Representative Hayden should be Leyden.

On page 894, line 19, word "montion" should be "motion."

On page 993, line 23, word "quettion" should be "question."

